

3D MARINE USA, INC.



**Marine Consultants  
and Surveyors**

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31<sup>st</sup> May 2020

Our Ref. No.: RVW/13643/MAF/20L

Royston Rayzor  
1600 Smith St.  
Suite 5000  
Houston, TX 77002

Attn: Mr. Kevin P. Walters

Re: C. A. No. 3:19-cv-00154  
*Charles H. Lowe vs. Moran Towing Corporation*  
In the United States District Court for the Southern District of Texas, Galveston Division

Dear Mr. Walters,

At the request of Royston Rayzor, 1600 Smith St., Suite 5000, Houston, Texas 77002; 3D Marine Consultants have reviewed the following provided documentation, concerning the above captioned matter:

- 1) Plaintiff's Original Complaint;
- 2) Defendant Moran Towing Corporation's Answer to Plaintiff's Original Complaint;
- 3) Protective Order;
- 4) Defendant Moran Towing Corporation's Answers to Plaintiff's Interrogatories;
- 5) Defendant Moran Towing Corporation's Objections and Answers to Plaintiff's First Request for Admissions;
- 6) Defendant Moran Towing Corporation's Objections and/or Responses to Plaintiff's Requests for Production;
- 7) Defendant Moran Towing Corporation's First Supplemental Responses to Plaintiff's Requests for Production;
- 8) Documents, Bates Nos. MORAN TOWING 000001 to MORAN TOWING 000029, MORAN TOWING 000080 to MORAN TOWING 000108 and MORAN TOWING 001555 to MORAN TOWING 001728;
- 9) Deposition of Mr. Charles Lowe, with Exhibits; and
- 10) Range Light Maritime Consulting, LLC Report.

After review of the above detailed deposition, reports and documentation; and our years of professional experience, education, and knowledge of the maritime industry; we report as follows:

#### A. Brief Description of Incident

During January 2018, Mr. Charles Lowe was employed by Moran Towing Corporation as a Barge Captain, and assigned to work on board T/B CONNECTICUT, which was under long-term time charter to the Ravenswood Generating Plant; essentially, loading fuel oil cargo at the International-Matex Tank Terminals (IMTT) facility in Bayonne, New Jersey, and discharging the fuel oil cargo, as necessary, at the Ravenswood Generating Plant in Long Island City, New York. Consequently, T/B CONNECTICUT was typically moored, and idle, at the Ravenswood Generating Plant Docks for extended periods of time, awaiting discharge orders from the plant personnel.

The Ravenswood Generating Plant Docks are located between the Queensboro Bridge and Roosevelt Island Bridge, on the Queens side of the East Channel of the East River, which separates Long Island from Roosevelt Island.

It is our understanding that the discharge of all fuel oil cargo onboard T/B CONNECTICUT was completed during midday on 9<sup>th</sup> January 2018. Subsequent to the discharge operations, T/B CONNECTICUT remained secured to Ravenswood Generating Plant Dock, awaiting further orders, and did not depart to load additional cargo until 22<sup>nd</sup> January 2018.

During the evening of 10<sup>th</sup> January 2018, Mr. Lowe was standing his regularly scheduled watch on board T/B CONNECTICUT, and carrying out various maintenance and inspection tasks. T/B CONNECTICUT was empty of cargo, and did not have a cargo transfer hose connected.

Between approximately 2000 to 2040 hours, 10<sup>th</sup> January 2018, Mr. Lowe climbed atop the accommodations quarters structure at the aft starboard side of the barge.

Reportedly, he was changing a burned-out light bulb for the red “transfer” light system, which was positioned atop a short mast mounted at the side of the overhead for the quarters structure.

According to Mr. Lowe, he was standing at the edge of the quarters structure, next to the short mast. He bent down (squatted) to pick up the replacement light bulb. Mr. Lowe alleges that the barge moved suddenly, and that he fell from atop the quarters structure to the main deck, a distance of approximately 9 to 10 feet.

Mr. Lowe was not utilizing a fall protection system.

Mr. Lowe allegedly maneuvered himself into the nearby accommodations area, and woke the Barge Mate, Mr. James Hall.

The Moran Towing Corporation Safety Department and Dispatcher were notified, and an ambulance was called to transport Mr. Lowe ashore for further medical treatment.

Mr. Lowe did not return to work on board T/B CONNECTICUT

Subsequently, Mr. Lowe retained an attorney and filed a lawsuit against Moran Towing Corporation, alleging various injuries from the 10<sup>th</sup> January 2018 incident.

## B. Vessel Particulars

Name:	<b>CONNECTICUT</b>
Flag:	United States of America
Port of Registry:	Wilmington, Delaware
Official No.:	999754
IMO No.:	8640973
Call Sign:	WCE4420
Built:	1994; Beaumont, Texas
Class:	American Bureau of Shipping (ABS)
Gross Tonnage:	3,141
Net Tonnage:	1,598
Design Deadweight:	9,831 MT
Cargo Capacity:	41,454.3 bbls.
Length:	310.1 ft.
Breadth:	60.0 ft.
Depth:	20.5 ft.
Tug Notch Depth:	13.0 ft.

T/B CONNECTICUT is a United States Coast Guard-inspected, double-hull, crude oil/product tank barge, designed for both inland and coastwise operation. T/B CONNECTICUT is fitted with living quarters situated within a deck house at the aft starboard side of the vessel, and generators fitted within a deck house at the aft port side of the vessel.

## C. Methods and Analysis/Comments

From review of the above detailed depositions, statements and documentation; and from many years as a Ship's Officer and Captain; and subsequently as a Maritime Instructor, Marine Surveyor and Consultant; we have analyzed the facts of this case, compared them to standards within the industry and comment as follows:

The undersigned has served as Master, Officer, Able Seaman (Deckhand) and Tankerman - Person in Charge (PIC) onboard tank vessels operating worldwide, including within the New York / New Jersey area.

In addition, the undersigned worked as a Port Captain and Safety Advisor on board countless tank barges while secured alongside at transfer docks adjacent to heavily trafficked waterways, including chartered oceangoing/coastwise tank barges nearly identical to T/B CONNECTICUT.

As a Marine Surveyor/Consultant, the undersigned regularly attends on board vessels and barges similar to T/B CONNECTICUT for inspection purposes, cargo matters, charterer approvals, and regulatory compliance issues

Consequently, the undersigned is well aware of the regulatory requirements for working on board vessels such as T/B CONNECTICUT, as well as the industry customary guidelines, standards and safe practices for a Barge Captain (Tankerman-Person in Charge) during the performance of their duties.

## I. Experience of Mr. Lowe

As of January 2018, Mr. Lowe was a well experienced Barge Captain, with approximately 28 years of experience working on board vessels, including nearly 9 years of direct experience working on board T/B CONNECTICUT while moored at the Ravenswood Generating Plant Docks (Lowe 7-12)

In 1980, Mr. Lowe had received his United States Coast Guard - issued Tankerman- Person in Charge (PIC) credential. In addition, Mr. Lowe had additionally received his United States Coast Guard- issued Able Seaman credential, indicating that he was tested, appropriately trained, and had demonstrated proficiency in the standard seamanship skills expected for the Able Seaman rating.

Mr. Lowe was initially hired by Moran Towing Corporation during 1990, and worked until 1996 as a Tankerman-PIC on Moran owned/operated tank barges.

After approximately 10 years of shoreside work as a Plant Foreman in Ennis, Texas, Mr. Lowe resumed his seagoing career with Moran Towing during 2006 (Lowe 10). During 2009, he was promoted to Barge Captain of T/B CONNECTICUT, where he was responsible for maintaining the vessel in accordance with company, industry and regulatory standards, as well as supervising the assigned Barge Mate, including scheduling maintenance tasks and ensuring all company safety procedures and principles were followed (001640). Indeed, Mr. Lowe also had specific Supervisor training from Moran Towing Corporation regarding *Slip, Trip and Fall Prevention* (001647).

Consequently, during 10<sup>th</sup> January 2018, Mr. Lowe would have been well aware of the standard procedures and safe methods for working aloft, alternative work methods/equipment/procedures that were available; as well as the general arrangements of T/B CONNECTICUT, and the typical movement (surge) of the vessel when moored alongside the Ravenswood Generating Plant Docks.

## II. Alleged 10<sup>th</sup> January 2018 Incident of Mr. Lowe

As the Barge Captain for T/B CONNECTICUT, Mr. Lowe was the Person in Charge of the vessel and was responsible for standing two six-hour watches, from 0600 to 1200 and 1800 to 2400 daily.

If cargo operations were ongoing during his watch, he was responsible for ensuring such were carried out in accordance with company guidelines and applicable regulations, under the authority of his United States Coast Guard Tankerman (PIC) credential.

If cargo operations were not being carried out, Mr. Lowe was responsible as the Barge Captain, and Supervisor for the vessel, to arrange for appropriate inspections and maintenance tasks/duties, both for himself and for the assigned Barge Mate (001718 to 001723).

Part of Mr. Lowe's assigned duties was to directly monitor the safety and security of T/B CONNECTICUT during his assigned watch period, including the appropriate tensioning of the barge mooring lines to restrict the vessel movement while alongside the dock.

Mr. Lowe testified that he was inspecting the vessel lighting during the evening of 10<sup>th</sup> January 2018, and discovered that the red "transfer" light, mounted atop the barge accommodations structure, was not functioning.

Mr. Lowe chose to climb atop the accommodations structure, and stand at the edge of the structure, while changing the light bulb. No Moran Towing Corporation Managers or other personnel ordered or instructed Mr. Lowe to carry out the maintenance activity in this manner.

Mr. Lowe testified that there was a fall protection harness on board T/B CONNECTICUT, and he additionally testified that the barge was provided with at least one tall A-Frame Ladder as depicted within the Bates No. MORAN TOWING 000015 (Lowe 26, 45).

Mr. Lowe allegedly felt the barge “*surge*” and “*hit the dock*”, which caused him to lose his balance and fall from his squatting position at the edge of the accommodations structure, a distance of approximately 9 to 10 feet, to the barge main deck. Mr. Lowe alleges that it was common for T/B CONNECTICUT to “*surge*” while alongside the dock (Lowe 49):

*Q:* Okay. Did you notice -- what did you feel? Was there movement?

*A:* Yeah, I felt like -- I felt like the barge --like the barge surged and it hit the dock.

*Q:* Well, describe that, the feeling you had as far as that movement? Was that something that was unusual or is that something that you had experienced before aboard Connecticut?

*A:* Well, it wasn't unusual because the barge moved quite often.

Further, Mr. Lowe alleged that passing vessels would cause the barge to move while alongside (Lowe 47). However, we note that if there was any passing vessel at the time of Mr. Lowe's alleged incident, such would have been clearly visible to him from his position standing atop the accommodations structure. Therefore, any resulting normal movement of the barge should have been anticipated and prepared for.

### **III. Weather/Environmental and Traffic Conditions**

From review of various sources we determined the following approximate weather and environmental conditions for the Ravenswood Generating Plant Docks, Long Island City, New York for 2000 to 2100 hours, 10<sup>th</sup> January 2018:

Temperature:	37F
Wind Speed:	3 to 6 mph
Wind Direction:	Southerly
Precipitation:	None
Height of Tide <sup>1</sup> :	1.0 feet (falling)
Current:	2.5 knots (near Maximum Ebb Current)

We also utilized the PortVision historical AIS database to review both the general traffic patterns for the East Channel of the East River, and the specific traffic present during the evening of 10<sup>th</sup> January 2018.

The Ravenswood Generating Plant Docks are situated alongside the East Channel of the East River between the Queensboro Bridge and the Roosevelt Island Vertical Lift Bridge, which connects Roosevelt Island to Long Island City/Queens.

The East Channel of the East River is most definitely not a heavily transited waterway, as nearly all commercial traffic in the area utilizes the West Channel of the East River, which has no bridge obstructions and no significant overhead height restrictions.

Indeed, the only traffic that regularly transits past the Ravenswood Generating Plant are recreational vessels, small New York City passenger ferries, and the occasional tug/barge unit arriving or departing from the Ravenswood facility itself.

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<sup>1</sup>From review of the real-time tidal gauge at The Battery, it appears that the Height of Tide for the area on 10<sup>th</sup> January 2018 was approximately 0.25 feet lower than predicted values

Between approximately 2000 and 2100 hours, 10<sup>th</sup> January 2018, two ferries passed the moored location of T/B CONNECTICUT.

<u>Time</u>	<u>Vessel</u>	<u>Approx. Speed Over Ground (SOG)</u>	<u>Approx. Distance</u>
1952	OPPORTUNITY	7.1 knots (Northbound)	390 feet
2022	OPPORTUNITY	12.5 knots (Southbound)	340 feet
2042	SPRING MALLARD	7.3 knots (Northbound)	380 feet

In order to calculate Speed Through the Water (STW), we subtract approximately 2.5 knots from Southbound transit Speed Over Ground, and add approximately 2.5 knots to the Northbound transit Speed Over Ground. Consequently, it is apparent that both M/V OPPORTUNITY and M/V SPRING MALLARD passed T/B CONNECTICUT at approximately 9.5 to 10.0 knots.

No deep draft vessel passed the Ravenswood Generating Plant Docks on 10<sup>th</sup> January 2018.

M/V OPPORTUNITY and M/V SPRING MALLARD are both aluminum hull, high speed, catamaran, small passenger vessels (with a maximum draft of approximately 6 feet) that would not be expected to generate a hazardous wake with regards to a coastwise/ocean-going tank barge such as T/B CONNECTICUT.

Indeed, it appears that the New York City ferries pass Barge CONNECTICUT on a regular schedule, approximately 40 to 50 times per day, between the hours of approximately 0600 to 2200 daily. Therefore, the passage of the passenger ferries would be an easily predictable and foreseeable occurrence to a reasonable, professional and experienced watchstander on board T/B CONNECTICUT.

Name:	<b>OPPORTUNITY</b>	<b>SPRING MALLARD</b>
Official No.	1278039	1278036
Year Built:	2017	2017
Gross Tons:	90	90
Net Tons:	61	61
Length:	80 feet	80 feet
Breadth:	26 feet	26 feet
Depth:	9 feet	9 feet

#### **IV. Range Light Maritime Consulting, LLC Report**

From review of the Range Light Maritime Consulting, LLC report, we note several inaccurate and/or unsupported opinions, comments and conclusions.

##### **a. Training**

Firstly, the report opines that Mr. Lowe had no education or training beyond “*basic seamanship*”. This opinion is clearly incorrect. Mr. Lowe was a United States Coast Guard - certificated Tankerman- Person in Charge (PIC), qualified Able Seaman and assigned Barge Captain with nearly 40 years of vessel and supervisory experience.

These United States Coast Guard certifications are difficult to obtain and require extensive training; specific experience; and demonstrated proficiency in advanced seamanship skills, regulatory knowledge, and practical safe job skills.

**b.** Winches

The report, remarkable, opines that T/B CONNECTICUT should have been fitted with automatic tensioning winches because:

*"Automatic-tension winches have a significant safety advantage over manually-operated winches because automatic winches are more powerful and do not require constant manual linehandling."* (Range Light Report, Page No. 8)

These comments and opinions regarding automatic tension winches demonstrate a lack of knowledge and understanding of the modern tank vessel industry.

*The International Safety Guide for Oil Tankers and Terminals*, 5<sup>th</sup> Edition, (ISGOTT) details the following.

**23.4.2.2 Tension Winches**

*Self-tensioning winches fitted with automatic rendering and hauling capability should not be used in the automatic mode while the vessel is moored. In automatic mode, such winches, by definition, will render under load and will allow the vessel to move out of position... (341-342)*

*Once moored, ships fitted with automatic tension winches should not use such winches in the automatic mode (377).*

Indeed, even the outdated *Mooring Equipment Guidelines*, 2<sup>nd</sup> Edition (1997), publication cited within the Range Light Maritime Consulting, LLC report warns against the use of automatic tension winches:

*...most terminals do not allow the use of the automatic feature and require that the winch be placed on the manual brake while the ship is moored (113).*

Typically, barges such as T/B CONNECTICUT are not fitted with deck winches, automatic tensioning or otherwise. There most certainly is no regulation, industry requirement or customary practice to fit tank barges such as T/B CONNECTICUT with deck winches.

Barges such as T/B CONNECTICUT, operated nationwide, are typically secured by hand-tightened mooring lines when alongside a berth, including at berths alongside the heavily trafficked Houston Ship Channel and within the high current conditions of the Mississippi River.

In general, the use of a powered winch to tighten a series of mooring lines requires multiple personnel, and exposes those personnel to particular risks and hazards with handling lines under tension, that do not exist for a hand-tightened mooring line system.

There is no expectation, nor industry standard, that a barge such as T/B CONNECTICUT will be "rigidly" held against a dock or transfer facility.

Indeed, the Code of Federal Regulations applicable to tank barge transfers specifically anticipates the movement of a tank barge alongside a dock:

**33 CFR 156.120 Requirements for transfer.**

*(a) The vessel's moorings are strong enough to hold during all expected conditions of surge, current, and weather and are long enough to allow adjustment for changes in draft, drift, and tide during the transfer operation;*

*(b) Transfer hoses and loading arms are long enough to allow the vessel to move to the limits of its moorings without placing strain on the hose, loading arm, or transfer piping system;*

c.      *Bumps*

The report opines that Moran Towing Corporation failed to verbally warn Mr. Lowe to “*watch the bump*” prior to his alleged fall incident (Page 13).

This opinion also demonstrates a lack of understanding regarding the towing vessel and tank barge industry. As per industry custom and practice, as well as USCG manning regulations and principles, barges such as T/B CONNECTICUT are typically operated by one person on a particular watch; an appropriately certificated Tankerman - Person In Charge (PIC); even when transferring cargo. There is no requirement, regulation nor industry custom or practice for a vessel operator to post a 2<sup>nd</sup> person during a particular watch period, to warn other crew members to “*watch the bump*”, a phrase that is typically associated with “*navigating*” a tug and barge, not a tank barge secured to a dock.

However, as the Barge Captain of T/B CONNECTICUT, Mr. Lowe could certainly have waited until the Barge Mate, Mr. James Hall, was awake and/or on duty, to assist and jointly carry out the lightbulb replacement operation. Alternately, the crew members (Deckhands) for the towing vessel could also have assisted Mr. Lowe with the task.

Indeed, since the barge discharge operations were completed on 9<sup>th</sup> January 2018, the red transfer light system would not be used again until cargo loading operations commenced after the barge was towed to the loading berth on 22<sup>nd</sup> January. Therefore, there was certainly no emergency, or urgent situation, that required immediate replacement of the red transfer light.

d.      *Hand / Guard Rails*

The report opines that the manned/unmanned status for T/B CONNECTICUT is somehow undetermined.

However, the United States Coast Guard Certificate of Inspection is clear and unambiguous that T/B CONNECTICUT is classified as “*unmanned*” barge, that is allowed to be “*permissively manned*” by the vessel owner/operator. This status is not unusual for barges such as T/B CONNECTICUT which operate in the coastwise trade, both inshore and offshore. Regardless, the issue of “*manned*” vs. “*unmanned*” classification is irrelevant to this matter.

T/B CONNECTICUT was built during 1994, in accordance with United States Coast Guard and American Bureau of Shipping standards. T/B CONNECTICUT is fitted with handrails/guardrails at the perimeter of the deck and bridges (walkways), in accordance with applicable standards. The top (roof) of the accommodations is infrequently accessed and would not be required to be surrounded by a continuous handrail or guardrail system in accordance with applicable regulations.

Indeed, we note that T/B CONNECTICUT has apparently been in continuous classification status by the American Bureau of Shipping (ABS) since 1994, which would include at least annual attendances by a Classification Surveyor to ensure continued construction and operational regulatory compliance by the vessel and the vessel operators.

In addition, from review of the United States Coast Guard Port State Control Information Exchange, (PSIX), it is apparent that, since 1994, United States Coast Guard personnel attended on board T/B CONNECTICUT on more than 50 separate occasions for monitoring and inspection of the vessel. These United States Coast Guard Inspections resulted in various construction, safety and operational issues being identified, including specific issues related to the barge status as a “*permissively manned*” tank barge. All issue were resolved to the satisfaction of the United States Coast Guard.

The construction arrangements at the top of accommodations and generator structures were open and obvious. Indeed, the statutorily required Liferaft was mounted atop the same accommodations structure as the transfer light mast. At no time does it appear that any United States Coast Guard Inspector recommended, or required, that the top of the accommodations or generator structures be fitted with hand or guard rails.

**e. OSHA / Fall Protection**

The report cites sections from manuals issued by “*uninspected vessel*” operators, which, in turn, rely on OSHA guidance and regulations.

However, it is well known by maritime industry professionals that, as a United States Coast Guard - inspected vessel, the working conditions of seaman on board T/B CONNECTICUT are not subject to OSHA oversight or jurisdiction<sup>2</sup>.

As the Barge Captain, Person in Charge, and Supervisor for T/B CONNECTICUT, it was Mr. Lowe himself that was responsible for following the guidance provided by Moran Towing Corporation, as well complying with his professional training and experience, to ensure an operation could be completed safely and efficiently.

It is apparent that standing at the unprotected edge of the superstructure, 9 to 10 feet above the Main Deck, with no fall protection, is a clear violation of industry safe custom and practice, as well as the written policies of Moran Towing Corporation<sup>3</sup>.

Within the context of this alleged incident, the concept of “*fall protection*” can be divided into two distinct categories, “*fall arrest*” and “*fall restraint*”. Based on our observation of the area at issue, it would have been difficult to arrange for an appropriate “*fall arrest*” system, given the limited “*clear fall distance*” from the edge of the structure.

However, if Mr. Lowe chose to carry out the maintenance tasks by standing atop the structure, he most certainly had the opportunity and responsibility to utilize a reasonable and effective “*fall restraint*” system, by either tying off a body harness to the mast itself, or another more centrally located connection point.

Alternately, Mr. Lowe could have avoided standing atop the accommodations structure, by utilizing the available portable A-Frame ladder, appropriately secured, to access the light assembly<sup>4</sup>.

**V. Additional Comments**

Mr. Lowe testified that the winches and mooring arrangements of T/B CONNECTICUT were insufficient for normal operations, and allowed the barge to move excessively alongside the dock.

However, we note that between 2000 hours to 2100 hours, 10<sup>th</sup> January 2018, the tide was falling throughout the period, and the Barge Main Deck would have been below the level of the shore bollards.

Therefore, the only necessary adjustments that Mr. Lowe would have made to the mooring lines, if any, during his watch period prior to 2000 hours, 10<sup>th</sup> January, would have been to slack the mooring lines to prevent over-tensioning.

A winch, self-tensioning or otherwise, is not necessary for easing tension on a mooring line.

<sup>2</sup>Directive Number: CPL 02-01-047, *OSHA Authority Over Vessels and Facilities on or Adjacent to U.S. Navigable Waters and the Outer Continental Shelf (OCS)*

<sup>3</sup>Moran Towing Corporation Policy, Bates Nos. MORAN TOWING 001711

<sup>4</sup>There is no industry custom or practice, or even OSHA requirement, for a worker changing a light bulb from a portable A-Frame ladder to wear fall protection.

Further, we note that between 2000 hours to 2100 hours, 10<sup>th</sup> January, the predicted ebb current was near maximum force at approximately 2.5 knots, which would have resulted in near maximum holding force (tension) for the mooring lines.

Under such conditions it would be less likely, not more likely, that T/B CONNECTICUT would surge away from the dock, thereby creating any sort of “*bump*” event.

Finally, we note that the “*transfer*” light is required to be lit when actively transferring cargo alongside a dock. The red transfer light onboard the barge compliments the red light also displayed by the terminal, and helps alert passing vessels to the nature of the cargo operations<sup>5</sup>.

However, we note that there was no need for the red transfer light to be lit or utilized during the evening of 10<sup>th</sup> January 2018, as there were no ongoing cargo operations.

Consequently, there was certainly no urgent need for Mr. Lowe to change the light bulb for the system at 2000 hours, in the middle of his watch, and without assistance from the Barge Mate or transport Tug crew.

#### *46 CFR 151.45-9 Signals.*

*While fast to a dock, a vessel during transfer of bulk cargo shall display a red flag by day or a red light by night, which signal shall be so placed that it will be visible on all sides. When at anchor, a vessel during transfer of bulk cargo shall display a red flag by day, placed so that it will be visible on all sides. This flag may be metallic.*

#### **VI. Stop Work Authority**

In addition to the above, every Barge Captain, Tankerman, Able Seaman and Deckhand is well aware of "Stop Work Authority". "Stop Work Authority" can be implemented anytime, anywhere, by anyone, for whatever reason. All the worker simply needs to do in the event they believe there is an unsafe condition, or assistance is needed, is to stop, report the situation to a superior, and not continue with the task until the situation is rectified or assistance obtained.

In this particular instance, by his own testimony, Mr Lowe was not ordered to carry out the maintenance task by any superior, and chose the manner of how he executed the task himself.

However, if indeed Mr. Lowe had any concerns regarding the physical conditions of T/B CONNECTICUT, or the presence/absence of safety equipment, he had both the responsibility and the duty to exercise his personal Stop Work Authority, and not continue with the various maintenance tasks until the conditions were such that the tasks could be completed safely.

As detailed previously, there was no need whatsoever to change out the bulb for the transfer light, when no transfer was ongoing.

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<sup>5</sup>The red transfer light on a vessel is not required for all fuel oil cargo transfers, and is not considered “*essential safety equipment*” for a transfer operation.

#### **D. Opinions**

Including the above analysis of the case in question, we are of the following additional opinions:

- 1) Firstly, we are of the opinion that Mr. Charles Lowe was a highly experienced Supervisor, Barge Captain, Tankerman - Person in Charge (PIC), and Able Seaman, with approximately 28 years of experience in the offshore and inland maritime industries; nearly 20 years of experience as an Industrial/Maritime industry Supervisor; and nearly 9 years of experience as Barge Captain for T/B CONNECTICUT while carrying out a long-term assignment at the Ravenswood Generating Plant Docks in Long Island City, New York.

Consequently, Mr. Lowe should have been well aware of the standard practices, procedures, and precautions for carrying out maintenance tasks on board T/B CONNECTICUT, including the safe methods of working aloft, and/or working near an unprotected edge.

As the Barge Captain for T/B CONNECTICUT, it was Mr. Lowe himself that was directly responsible for carrying out the maintenance tasks on board the vessel in a safe and efficient manner.

- 2) We are of the opinion that T/B CONNECTICUT was constructed in accordance with the relevant and applicable safety standards for a coastwise operated tank barge.

We do not believe that any regulation, industry custom or practice required the accommodations structure on board T/B CONNECTICUT to have hand rails or guard rails at the perimeter of the top (roof) structure.

- 3) We are also of the opinion that barges such as T/B CONNECTICUT are not generally, and are not required to be, fitted with mooring winches at the bow and stern.

T/B CONNECTICUT was fitted with a windlass/mooring winch at the bow, and an additional mooring winch at the stern, which exceeds the typically available mooring systems for similar vessels.

Typically, barges such as T/B CONNECTICUT are secured by hand tightened mooring line systems.

We further note that automatic-tensioning mooring winches are not recommended, or even generally allowed, to be used on tank vessels when moored alongside at a transfer facility.

- 4) However, we are of the opinion that if Mr. Lowe had any concerns regarding the physical conditions of T/B CONNECTICUT, or the presence/absence of safety equipment, he had both the responsibility and the duty to exercise his personal Stop Work Authority, and not continue with the various maintenance tasks until the conditions were such that the tasks could be completed safely.

### E. Conclusions

In conclusion, we are of the opinion that neither Moran Towing Corporation, T/B CONNECTICUT, or her other crewmembers, violated any regulations, requirements, or industry custom or practice, with respect to the alleged incident of Mr. Lowe.

Finally, we believe that the alleged incidents, if they occurred as testified to by Mr. Lowe, could have been avoided by actions and decisions of Mr. Lowe alone.

We reserve the right to amend or supplement this opinion should further information be made available.

Without prejudice,

Marc A. Fazioli  
3D Marine USA, Inc.

*The opinions expressed in this report are based upon a review of the documentation provided. This report, including the opinions and analyses contained within, is the product of an application of the preparer's experience and knowledge in the context of the material provided in this matter and cannot be applied to other situations or incidents, no matter how similar they may be. Furthermore, this report does not attempt to resolve conflicts, nor is it intended to discredit witnesses or experts, and is produced bearing in mind that it is normal for conflicts to exist between the accounts of witnesses.*

Attachments:

- i) Ravenswood Generating Plant Docks
- ii) Weather Records for LaGuardia Airport
- iii) Tide Predictions for Queensboro Bridge
- iv) Tide Observations for The Battery
- v) Tidal Current Predictions for East of Roosevelt Island
- vi) PortVision Historical AIS Database Screenshots for User Zone and Passing Vessels
- vii) M/V OPPORTUNITY Vessel Particulars and Photographs
- viii) M/V SPRING MALLARD Vessel Particulars and Photographs
- ix) Excerpts from *International Safety Guide for Oil Tankers and Terminals* (ISGOTT), 5<sup>th</sup> Edition
- x) Excerpts from *Mooring Equipment Guidelines*, 2<sup>nd</sup> Edition
- xi) United States Coast Guard Port State Information Exchange Records
- xii) CV and Details for Capt. Marc Fazioli

- i) Ravenswood Generating Plant Docks





# East Channel of East River

Legend



# Port of New York / New Jersey

Union City

Legend



Google Earth

N

- ii) Weather Records for LaGuardia Airport

[Log in](#) [Log ...](#) 


Recent Cities

Manhattan, NY (weather/us/ny/manhattan/40.76,-73.95) Seabrook, TX (77586) (weather/us/tx/seabrook/29.55,-95.02) La Porte, TX (we

40.77 °N, 73.86 °W

## New York City, NY Weather History

**63° LAGUARDIA AIRPORT STATION (/WEATHER/KLGA?CM\_VEN=LOCALWX\_PWSDASH)** | [CHANGE](#)

[HISTORY \(/HISTORY/DAILY/US/NY/NEW-YORK-CITY/KLGA\)](#)

- [TODAY \(/WEATHER/KLGA\)](#)
- [HOURLY \(/HOURLY/KLGA\)](#)
- [10-DAY \(/FORECAST/KLGA\)](#)
- [CALENDAR \(/CALENDAR/US/NY/NEW-YORK-CITY/KLGA\)](#)
- [HISTORY \(/HISTORY/DAILY/US/NY/NEW-YORK-CITY/KLGA\)](#)
- [WUNDERMAP \(/WUNDERMAP?LAT=40.77&LON=-73.86\)](#)

[Daily](#)
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[Monthly](#)

(/history/daily/KLGA/date/2018/1/10/10/2018/KLGA/date/2018-

[1-10](#))

[1-10](#))

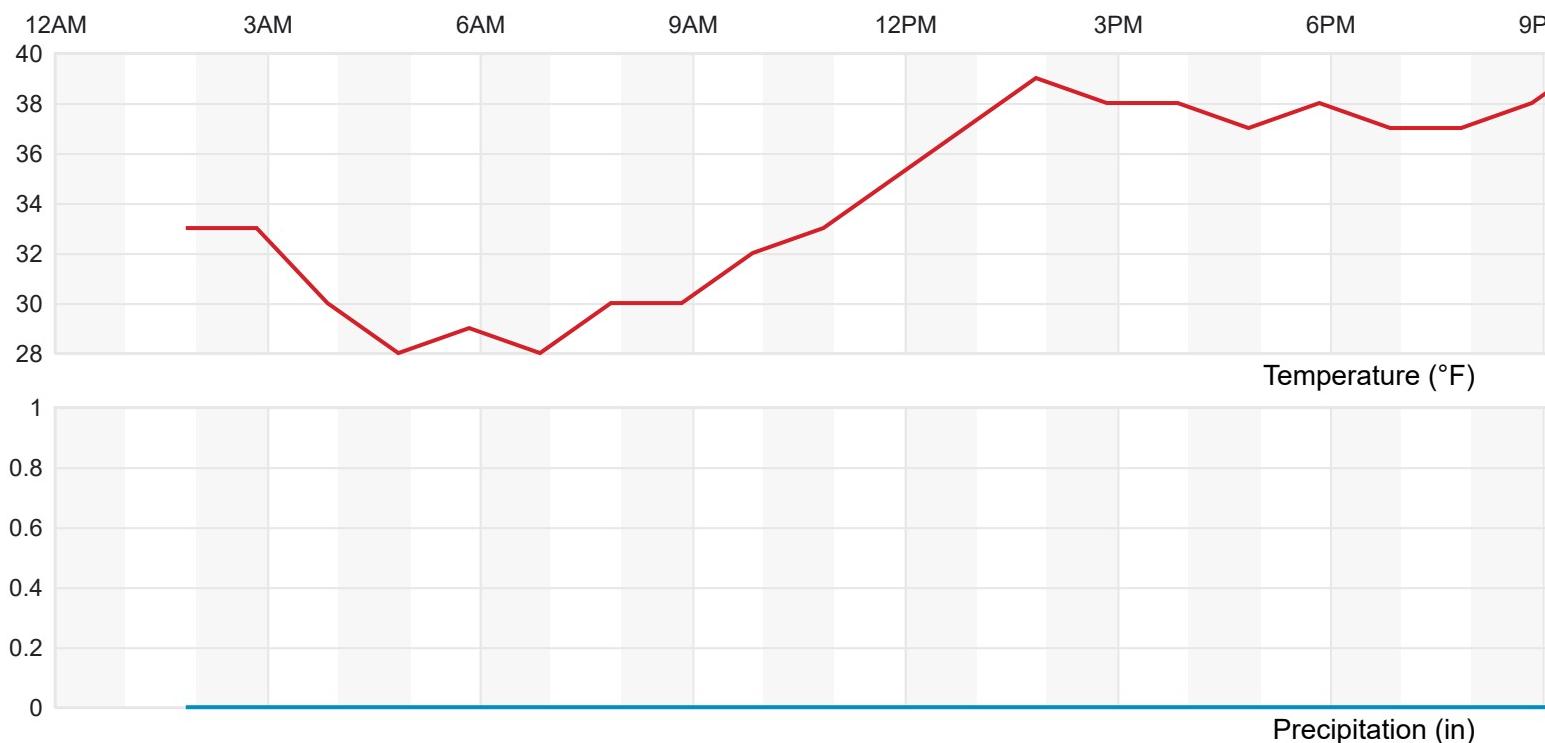
[1](#))

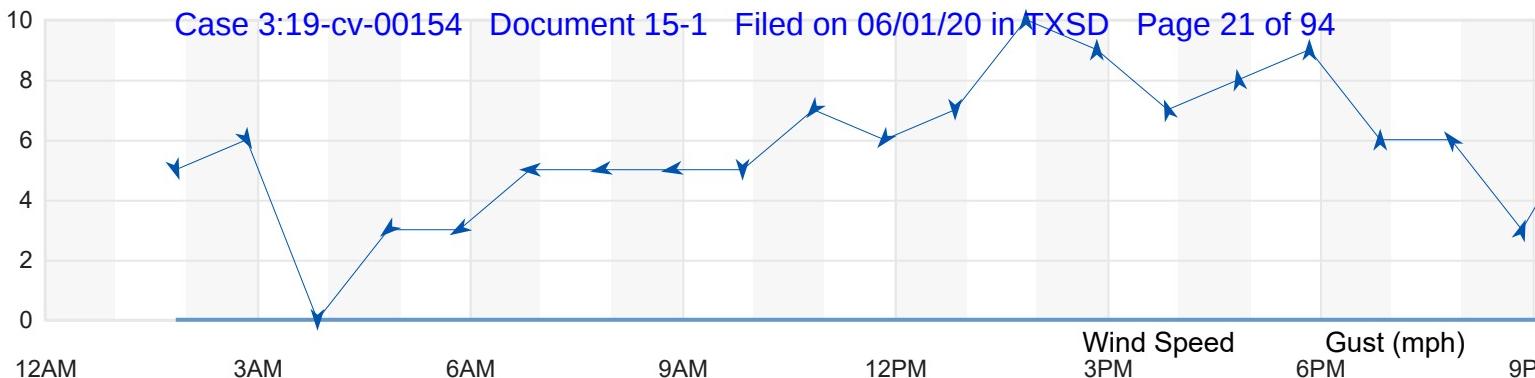
January

10

2018

[View](#)





## Summary

Temperature (° F)		Actual	Historic Avg.	Record	▲
High Temp		40	39	59	
Low Temp		28	27	2	
Day Average Temp		35	33	-	
Precipitation (Inches)		Actual	Historic Avg.	Record	▲
Precipitation (past 24 hours from 05:51:00)		0.00	0.10	-	
Dew Point (° F)		Actual	Historic Avg.	Record	▲
Dew Point		24.42	-	-	
High		33	-	-	
Low		19	-	-	
Average		24.42	-	-	
Wind (MPH)		Actual	Historic Avg.	Record	▲
Max Wind Speed		10	-	-	
Visibility		10	-	-	
Sea Level Pressure (Hg)		Actual	Historic Avg.	Record	▲
Sea Level Pressure		30.49	-	-	
Astronomy		Day Length	Rise	Set	▲
Actual Time		9h 27m	7:20 AM	4:47 PM	/

Civil Twilight			6:49 AM	5:18 PM
Nautical Twilight			6:15 AM	5:52 PM
Astronomical Twilight			5:42 AM	6:25 PM
Moon: waning crescent			2:26 AM	1:40 PM

## Daily Observations

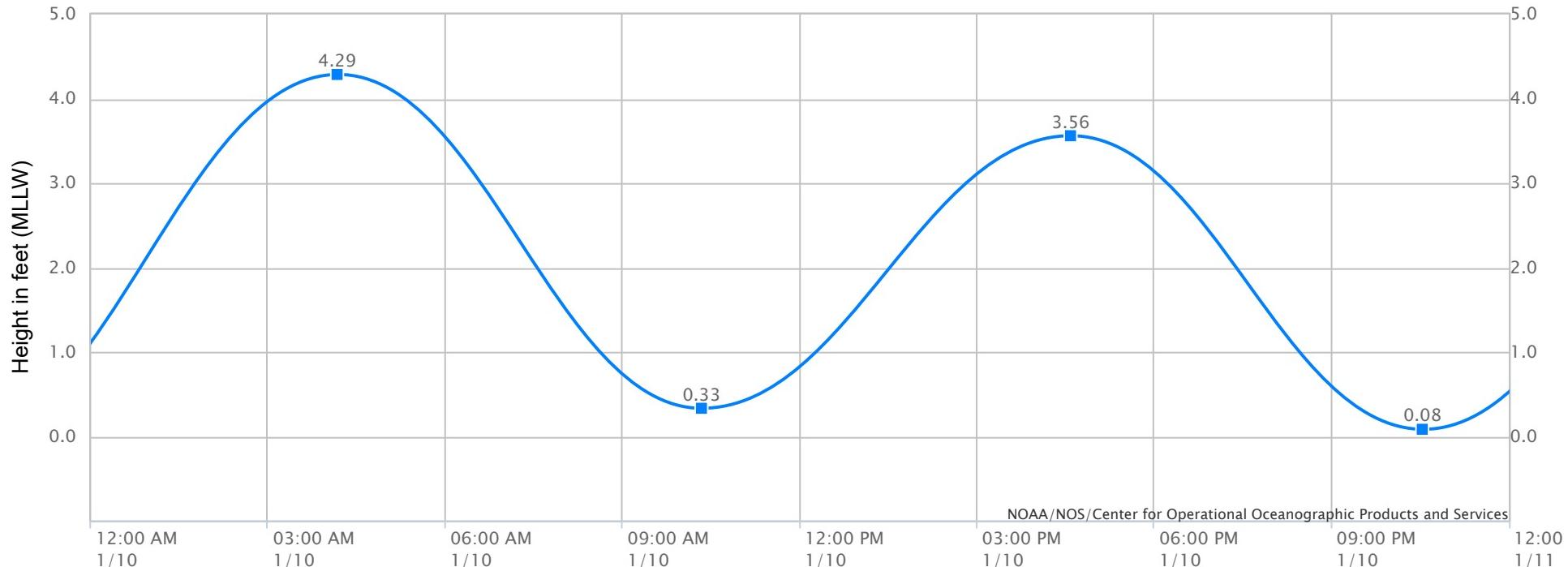
Time	Temperature	Dew Point	Humidity	Wind	Wind Speed	Wind Gust	Pressure	Precip.
1:51 AM	33 °F	20 °F	59 %	NNW	5 mph	0 mph	30.37 in	0.0 in
2:51 AM	33 °F	20 °F	59 %	NNW	6 mph	0 mph	30.39 in	0.0 in
3:51 AM	30 °F	19 °F	64 %	CALM	0 mph	0 mph	30.41 in	0.0 in
4:51 AM	28 °F	20 °F	72 %	NE	3 mph	0 mph	30.42 in	0.0 in
5:51 AM	29 °F	21 °F	72 %	ENE	3 mph	0 mph	30.43 in	0.0 in
6:51 AM	28 °F	19 °F	69 %	E	5 mph	0 mph	30.44 in	0.0 in
7:51 AM	30 °F	21 °F	69 %	E	5 mph	0 mph	30.45 in	0.0 in
8:51 AM	30 °F	22 °F	72 %	E	5 mph	0 mph	30.46 in	0.0 in
9:51 AM	32 °F	21 °F	64 %	VAR	5 mph	0 mph	30.48 in	0.0 in
10:51 AM	33 °F	22 °F	64 %	NE	7 mph	0 mph	30.49 in	0.0 in
11:51 AM	35 °F	20 °F	54 %	NE	6 mph	0 mph	30.48 in	0.0 in
12:51 PM	37 °F	20 °F	50 %	VAR	7 mph	0 mph	30.46 in	0.0 in
1:51 PM	39 °F	22 °F	50 %	S	10 mph	0 mph	30.43 in	0.0 in
2:51 PM	38 °F	23 °F	55 %	S	9 mph	0 mph	30.42 in	0.0 in
3:51 PM	38 °F	24 °F	57 %	SSE	7 mph	0 mph	30.42 in	0.0 in
4:51 PM	37 °F	26 °F	65 %	S	8 mph	0 mph	30.42 in	0.0 in
5:51 PM	38 °F	27 °F	65 %	S	9 mph	0 mph	30.41 in	0.0 in
6:51 PM	37 °F	28 °F	70 %	S	6 mph	0 mph	30.42 in	0.0 in
7:51 PM	37 °F	29 °F	73 %	SE	6 mph	0 mph	30.42 in	0.0 in
8:51 PM	38 °F	30 °F	73 %	SSW	3 mph	0 mph	30.44 in	0.0 in
9:51 PM	40 °F	33 °F	77 %	S	7 mph	0 mph	30.41 in	0.0 in
10:51 PM	40 °F	33 °F	77 %	S	9 mph	0 mph	30.40 in	0.0 in

- iii) Tide Predictions for Queensboro Bridge


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## NOAA/NOS/CO-OPS

Tide Predictions at 8518687, Queensboro Bridge NY  
 From 2018/01/10 12:00 AM LST/LDT to 2018/01/10 11:59 PM LST/LDT



Note: The interval is High/Low, the solid blue line depicts a curve fit between the high and low values and approximates the segments between.  
 Disclaimer: These data are based upon the latest information available as of the date of your request, and may differ from the published tide tables.

## High/Low Tide Prediction Data Listing

Station Name: Queensboro Bridge, NY

Action: Daily

Product: Tide Predictions

Start Date &amp; Time: 2018/1/10 12:00 AM

End Date &amp; Time: 2018/1/10 11:59 PM

Source: NOAA/NOS/CO-OPS

Prediction Type: Harmonic

Datum: MLLW

Height Units: Feet

Time Zone: LST/LDT

Date	Day	Time	Hgt	Time	Hgt	Time	Hgt	Time	Hgt

2018/01/10	Wed	04:11 AM	4.29 H	10:20 AM	0.33 L	4:35 PM	3.56 H	10:33 PM	0.08 L
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iv) Tide Observations for The Battery



Home (/) / Products (products.html) / Water Levels (stations.html?type=Water+Levels) / 8518750 The Battery, NY  
 Favorite Stations

Station Info

Tides/Water Levels

Meteorological Obs. (/met.html?id=8518750)

Phys. Oceanography (/physocean.html?id=8518750)

PORTS® (/ports/ports.html?id=8518750)

OFS (/ofs/ofs\_station.shtml?stname=The Battery&amp;ofs=ny&amp;stnid=8518750&amp;subdomain=0)

**Notice:** This station is currently in high water condition (/waterconditions.html#high).

## Options for

8518750 The Battery, NY

## From:

Jan ▾ 10 ▾ 2018

## To:

Jan ▾ 10 ▾ 2018

## Units

 Standard ▾  
**Date**

Time (LST/LDT)

Tide (ft)

Preliminary (ft)

Vertical (ft) ▾

Datum (datum\_options.html)

MLLW ▾

[Back 1 Day](#)[Forward 1 Day](#)

## Interval

6 min

1 hr

H/L

Day

Month

## Update

[Plot](#)[Data Only](#)[Hide Data Listing](#)

## Data Listing

[Web Services](#)[Export to CSV](#)

Date	Time (LST/LDT)	Predicted (ft)	Preliminary (ft)	Verified (ft)
2018/01/10	00:00	2.428	-	2.07
2018/01/10	00:06	2.529	-	2.22
2018/01/10	00:12	2.629	-	2.35
2018/01/10	00:18	2.728	-	2.49
2018/01/10	00:24	2.825	-	2.64
2018/01/10	00:30	2.921	-	2.77
2018/01/10	00:36	3.016	-	2.91
2018/01/10	00:42	3.109	-	3.04
2018/01/10	00:48	3.2	-	3.14
2018/01/10	00:54	3.29	-	3.26
2018/01/10	01:00	3.377	-	3.38
2018/01/10	01:06	3.462	-	3.48
2018/01/10	01:12	3.545	-	3.56
2018/01/10	01:18	3.625	-	3.65

Date	Time (EST/LDT)	Predicted (ft)	Preliminary (ft)	Verified (ft)
2018/01/10	01:24	3.702	-	3.74
2018/01/10	01:30	3.776	-	3.82
2018/01/10	01:36	3.847	-	3.9
2018/01/10	01:42	3.915	-	3.96
2018/01/10	01:48	3.98	-	4.01
2018/01/10	01:54	4.04	-	4.09
2018/01/10	02:00	4.097	-	4.12
2018/01/10	02:06	4.149	-	4.17
2018/01/10	02:12	4.197	-	4.19
2018/01/10	02:18	4.241	-	4.22
2018/01/10	02:24	4.279	-	4.23
2018/01/10	02:30	4.313	-	4.24
2018/01/10	02:36	4.342	-	4.25
2018/01/10	02:42	4.365	-	4.23
2018/01/10	02:48	4.383	-	4.2
2018/01/10	02:54	4.395	-	4.19
2018/01/10	03:00	4.401	-	4.18
2018/01/10	03:06	4.402	-	4.16
2018/01/10	03:12	4.396	-	4.15
2018/01/10	03:18	4.384	-	4.11
2018/01/10	03:24	4.367	-	4.04
2018/01/10	03:30	4.343	-	3.97
2018/01/10	03:36	4.314	-	3.91
2018/01/10	03:42	4.278	-	3.85
2018/01/10	03:48	4.237	-	3.78

Date	Time (EST/LDT)	Predicted (ft)	Preliminary (ft)	Verified (ft)
2018/01/10	03:54	4.19	-	3.71
2018/01/10	04:00	4.138	-	3.61
2018/01/10	04:06	4.081	-	3.56
2018/01/10	04:12	4.019	-	3.47
2018/01/10	04:18	3.953	-	3.39
2018/01/10	04:24	3.883	-	3.3
2018/01/10	04:30	3.81	-	3.23
2018/01/10	04:36	3.733	-	3.12
2018/01/10	04:42	3.654	-	3.05
2018/01/10	04:48	3.573	-	2.95
2018/01/10	04:54	3.49	-	2.88
2018/01/10	05:00	3.406	-	2.82
2018/01/10	05:06	3.322	-	2.76
2018/01/10	05:12	3.237	-	2.7
2018/01/10	05:18	3.152	-	2.62
2018/01/10	05:24	3.068	-	2.56
2018/01/10	05:30	2.985	-	2.44
2018/01/10	05:36	2.903	-	2.38
2018/01/10	05:42	2.822	-	2.27
2018/01/10	05:48	2.742	-	2.17
2018/01/10	05:54	2.664	-	2.07
2018/01/10	06:00	2.588	-	1.98
2018/01/10	06:06	2.513	-	1.88
2018/01/10	06:12	2.439	-	1.8
2018/01/10	06:18	2.366	-	1.73

Date	Time (EST/LDT)	Predicted (ft)	Preliminary (ft)	Verified (ft)
2018/01/10	06:24	2.294	-	1.67
2018/01/10	06:30	2.223	-	1.59
2018/01/10	06:36	2.153	-	1.53
2018/01/10	06:42	2.082	-	1.47
2018/01/10	06:48	2.012	-	1.41
2018/01/10	06:54	1.941	-	1.35
2018/01/10	07:00	1.87	-	1.29
2018/01/10	07:06	1.798	-	1.26
2018/01/10	07:12	1.726	-	1.22
2018/01/10	07:18	1.652	-	1.18
2018/01/10	07:24	1.577	-	1.14
2018/01/10	07:30	1.502	-	1.12
2018/01/10	07:36	1.426	-	1.05
2018/01/10	07:42	1.349	-	1.02
2018/01/10	07:48	1.272	-	0.98
2018/01/10	07:54	1.195	-	0.93
2018/01/10	08:00	1.119	-	0.91
2018/01/10	08:06	1.044	-	0.86
2018/01/10	08:12	0.97	-	0.84
2018/01/10	08:18	0.898	-	0.8
2018/01/10	08:24	0.829	-	0.73
2018/01/10	08:30	0.763	-	0.68
2018/01/10	08:36	0.701	-	0.65
2018/01/10	08:42	0.644	-	0.65
2018/01/10	08:48	0.591	-	0.63

Date	Time (EST/LDT)	Predicted (ft)	Preliminary (ft)	Verified (ft)
2018/01/10	08:54	0.544	-	0.62
2018/01/10	09:00	0.504	-	0.59
2018/01/10	09:06	0.47	-	0.57
2018/01/10	09:12	0.443	-	0.55
2018/01/10	09:18	0.423	-	0.53
2018/01/10	09:24	0.41	-	0.56
2018/01/10	09:30	0.406	-	0.53
2018/01/10	09:36	0.409	-	0.54
2018/01/10	09:42	0.42	-	0.54
2018/01/10	09:48	0.438	-	0.6
2018/01/10	09:54	0.464	-	0.6
2018/01/10	10:00	0.497	-	0.66
2018/01/10	10:06	0.537	-	0.7
2018/01/10	10:12	0.583	-	0.76
2018/01/10	10:18	0.635	-	0.82
2018/01/10	10:24	0.693	-	0.88
2018/01/10	10:30	0.757	-	0.96
2018/01/10	10:36	0.824	-	1.02
2018/01/10	10:42	0.896	-	1.07
2018/01/10	10:48	0.972	-	1.13
2018/01/10	10:54	1.05	-	1.19
2018/01/10	11:00	1.131	-	1.26
2018/01/10	11:06	1.214	-	1.33
2018/01/10	11:12	1.299	-	1.4
2018/01/10	11:18	1.385	-	1.47

Date	Time (EST/LDT)	Predicted (ft)	Preliminary (ft)	Verified (ft)
2018/01/10	11:24	1.473	-	1.51
2018/01/10	11:30	1.56	-	1.57
2018/01/10	11:36	1.648	-	1.61
2018/01/10	11:42	1.736	-	1.71
2018/01/10	11:48	1.824	-	1.76
2018/01/10	11:54	1.911	-	1.83
2018/01/10	12:00	1.998	-	1.89
2018/01/10	12:06	2.084	-	1.96
2018/01/10	12:12	2.17	-	2.03
2018/01/10	12:18	2.254	-	2.11
2018/01/10	12:24	2.337	-	2.15
2018/01/10	12:30	2.42	-	2.23
2018/01/10	12:36	2.501	-	2.28
2018/01/10	12:42	2.58	-	2.34
2018/01/10	12:48	2.659	-	2.39
2018/01/10	12:54	2.736	-	2.45
2018/01/10	13:00	2.811	-	2.48
2018/01/10	13:06	2.885	-	2.56
2018/01/10	13:12	2.957	-	2.63
2018/01/10	13:18	3.028	-	2.67
2018/01/10	13:24	3.096	-	2.73
2018/01/10	13:30	3.162	-	2.79
2018/01/10	13:36	3.227	-	2.85
2018/01/10	13:42	3.289	-	2.91
2018/01/10	13:48	3.348	-	2.96

Date	Time (EST/LDT)	Predicted (ft)	Preliminary (ft)	Verified (ft)
2018/01/10	13:54	3.405	-	3
2018/01/10	14:00	3.46	-	3.05
2018/01/10	14:06	3.511	-	3.07
2018/01/10	14:12	3.559	-	3.15
2018/01/10	14:18	3.605	-	3.2
2018/01/10	14:24	3.647	-	3.21
2018/01/10	14:30	3.685	-	3.28
2018/01/10	14:36	3.72	-	3.33
2018/01/10	14:42	3.75	-	3.39
2018/01/10	14:48	3.777	-	3.42
2018/01/10	14:54	3.8	-	3.46
2018/01/10	15:00	3.818	-	3.5
2018/01/10	15:06	3.832	-	3.55
2018/01/10	15:12	3.841	-	3.58
2018/01/10	15:18	3.845	-	3.6
2018/01/10	15:24	3.844	-	3.65
2018/01/10	15:30	3.838	-	3.67
2018/01/10	15:36	3.827	-	3.68
2018/01/10	15:42	3.811	-	3.67
2018/01/10	15:48	3.789	-	3.65
2018/01/10	15:54	3.762	-	3.66
2018/01/10	16:00	3.73	-	3.62
2018/01/10	16:06	3.693	-	3.57
2018/01/10	16:12	3.651	-	3.52
2018/01/10	16:18	3.604	-	3.47

Date	Time (EST/LDT)	Predicted (ft)	Preliminary (ft)	Verified (ft)
2018/01/10	16:24	3.552	-	3.43
2018/01/10	16:30	3.496	-	3.35
2018/01/10	16:36	3.436	-	3.3
2018/01/10	16:42	3.372	-	3.25
2018/01/10	16:48	3.305	-	3.21
2018/01/10	16:54	3.234	-	3.15
2018/01/10	17:00	3.161	-	3.12
2018/01/10	17:06	3.086	-	3.08
2018/01/10	17:12	3.008	-	3.01
2018/01/10	17:18	2.93	-	2.94
2018/01/10	17:24	2.851	-	2.86
2018/01/10	17:30	2.771	-	2.8
2018/01/10	17:36	2.691	-	2.73
2018/01/10	17:42	2.612	-	2.66
2018/01/10	17:48	2.533	-	2.55
2018/01/10	17:54	2.455	-	2.47
2018/01/10	18:00	2.379	-	2.38
2018/01/10	18:06	2.303	-	2.3
2018/01/10	18:12	2.229	-	2.22
2018/01/10	18:18	2.157	-	2.13
2018/01/10	18:24	2.086	-	2.02
2018/01/10	18:30	2.017	-	1.93
2018/01/10	18:36	1.949	-	1.83
2018/01/10	18:42	1.882	-	1.74
2018/01/10	18:48	1.816	-	1.62

Date	Time (EST/LDT)	Predicted (ft)	Preliminary (ft)	Verified (ft)
2018/01/10	18:54	1.751	-	1.51
2018/01/10	19:00	1.686	-	1.41
2018/01/10	19:06	1.621	-	1.32
2018/01/10	19:12	1.557	-	1.25
2018/01/10	19:18	1.492	-	1.17
2018/01/10	19:24	1.426	-	1.1
2018/01/10	19:30	1.36	-	1.04
2018/01/10	19:36	1.293	-	0.97
2018/01/10	19:42	1.225	-	0.92
2018/01/10	19:48	1.156	-	0.86
2018/01/10	19:54	1.086	-	0.82
2018/01/10	20:00	1.016	-	0.74
2018/01/10	20:06	0.944	-	0.65
2018/01/10	20:12	0.873	-	0.6
2018/01/10	20:18	0.802	-	0.55
2018/01/10	20:24	0.731	-	0.49
2018/01/10	20:30	0.661	-	0.44
2018/01/10	20:36	0.593	-	0.41
2018/01/10	20:42	0.527	-	0.35
2018/01/10	20:48	0.463	-	0.31
2018/01/10	20:54	0.403	-	0.25
2018/01/10	21:00	0.347	-	0.2
2018/01/10	21:06	0.295	-	0.17
2018/01/10	21:12	0.249	-	0.13
2018/01/10	21:18	0.208	-	0.11

Date	Time (EST/LDT)	Predicted (ft)	Preliminary (ft)	Verified (ft)
2018/01/10	21:24	0.174	-	0.1
2018/01/10	21:30	0.146	-	0.08
2018/01/10	21:36	0.126	-	0.05
2018/01/10	21:42	0.113	-	0.05
2018/01/10	21:48	0.108	-	0.03
2018/01/10	21:54	0.111	-	0.01
2018/01/10	22:00	0.122	-	0.02
2018/01/10	22:06	0.141	-	0.03
2018/01/10	22:12	0.169	-	0.05
2018/01/10	22:18	0.204	-	0.08
2018/01/10	22:24	0.246	-	0.13
2018/01/10	22:30	0.296	-	0.19
2018/01/10	22:36	0.353	-	0.25
2018/01/10	22:42	0.416	-	0.34
2018/01/10	22:48	0.485	-	0.41
2018/01/10	22:54	0.56	-	0.5
2018/01/10	23:00	0.639	-	0.6
2018/01/10	23:06	0.724	-	0.69
2018/01/10	23:12	0.812	-	0.79
2018/01/10	23:18	0.904	-	0.89
2018/01/10	23:24	0.998	-	0.98
2018/01/10	23:30	1.095	-	1.1
2018/01/10	23:36	1.194	-	1.23
2018/01/10	23:42	1.295	-	1.35
2018/01/10	23:48	1.397	-	1.45

v) Tidal Current Predictions for East of Roosevelt Island



[Home](#) / [Products](#) / [Current Predictions](#) / [east of \(ACT3426\)](#)

[Stations](#)    [Help](#)    [Plots](#)    [Annual Pred.](#)

## east of (ACT3426)

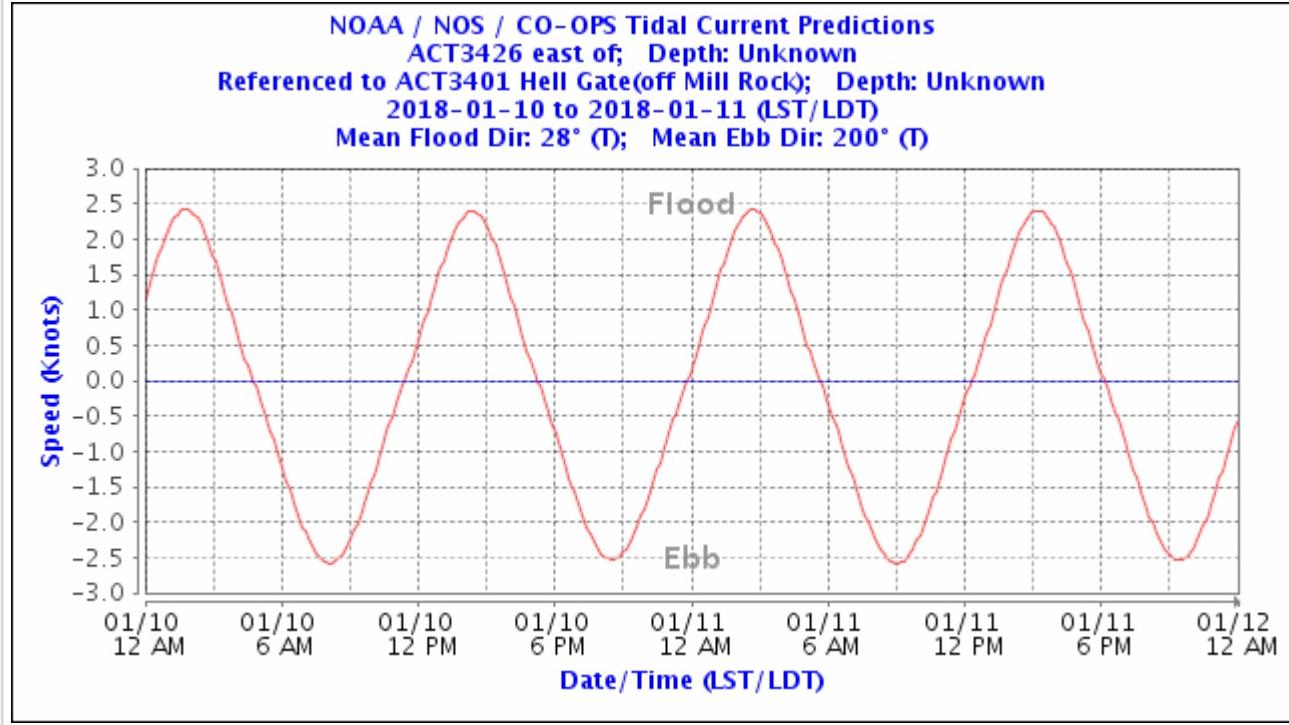
LAT/LON: 40.7582° N 73.9513° W

**Note:** Depth source is unknown. Subordinate station: only max/slack predictions available.

**Reference station:** Hell Gate(off Mill Rock) (ACT3401).

For predictions of Subordinate stations, the solid red line depicts a curve fit between the flood, ebb and slack values and approximates the segments between.

### Prediction Uncertainty



DOWNLOAD: [TEXT](#) | [CSV](#) | [XML](#)

Time (LST/LDT)	Event	Speed (knots)
2018-01-10 01:48 AM	flood	2.42
2018-01-10 04:44 AM	slack	-
2018-01-10 08:07 AM	ebb	-2.58

Time (LST/LDT)	Event	Speed (knots)
2018-01-10 11:24 AM	slack	-
2018-01-10 02:24 PM	flood	2.40
2018-01-10 05:14 PM	slack	-
2018-01-10 08:31 PM	ebb	-2.53
2018-01-10 11:48 PM	slack	-
2018-01-11 02:42 AM	flood	2.42
2018-01-11 05:38 AM	slack	-
2018-01-11 09:01 AM	ebb	-2.59
2018-01-11 12:12 PM	slack	

**Disclaimer:** These data are based upon the latest information available as of the date of your request, and may differ from the published tidal current tables.

Plot From:

Range:

Time Units:

Units:

Time Zone:

Shift Plot:

Create Predictions:

Data Interval (Optional):

Threshold Type and Value (Optional):

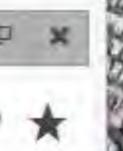
- vi) PortVision Historical AIS Database Screenshots for User Zone and Passing Vessels

Vessel	IMO	CallSign	Type	Zone Entry Time ▼	Course	Speed	Draft	Zone Exit Time	Course	Speed	Draft	Duration of Visit
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 21:21:29 CST</a>	34.9° [SW]	10.7 kn	2 m	<a href="#">01/10/2018 21:23:44 CST</a>	34.9° [SW]	22.8 kn	2 m	00:02:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 20:59:50 CST</a>	212.8° [NNE]	11.4 kn	2 m	<a href="#">01/10/2018 21:00:59 CST</a>	214.8° [NE]	9 kn	2 m	00:01:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 20:31:57 CST</a>	32.6° [SSW]	6.4 kn	2 m	<a href="#">01/10/2018 20:33:59 CST</a>	34.1° [SW]	6.4 kn	2 m	00:02:00
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 20:08:48 CST</a>	213° [NNE]	12.6 kn	2 m	<a href="#">01/10/2018 20:10:57 CST</a>	238.7° [NEE]	3.1 kn	2 m	00:02:00
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 19:41:43 CST</a>	34° [SW]	7.3 kn	2 m	<a href="#">01/10/2018 19:43:29 CST</a>	32.5° [SSW]	16.8 kn	2 m	00:02:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 19:21:44 CST</a>	211.1° [NNE]	12.9 kn	2 m	<a href="#">01/10/2018 19:22:50 CST</a>	213.7° [NNE]	11.2 kn	2 m	00:01:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 18:51:26 CST</a>	31.2° [SSW]	8.2 kn	2 m	<a href="#">01/10/2018 18:53:38 CST</a>	32.1° [SSW]	6.7 kn	2 m	00:02:00
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 18:29:54 CST</a>	215.9° [NE]	10.6 kn	2 m	<a href="#">01/10/2018 18:30:58 CST</a>	218.5° [NE]	10.2 kn	2 m	00:01:00
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 18:01:40 CST</a>	40.1° [SW]	7 kn	2 m	<a href="#">01/10/2018 18:03:34 CST</a>	27.6° [SSW]	8.9 kn	2 m	00:02:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 17:40:36 CST</a>	210.2° [NNE]	10.1 kn	2 m	<a href="#">01/10/2018 17:41:36 CST</a>	210.3° [NNE]	9.7 kn	2 m	00:01:00
FLYER	4096000	WDJ5814	Passenger	<a href="#">01/10/2018 17:35:41 CST</a>	35.1° [SW]	10.6 kn	2 m	<a href="#">01/10/2018 17:37:53 CST</a>	36.2° [SW]	16.8 kn	2 m	00:02:00
URBAN JOURNEY	3047424	WDJ4540	Passenger	<a href="#">01/10/2018 17:15:40 CST</a>	215.7° [NE]	13.8 kn	1.9 m	<a href="#">01/10/2018 17:16:59 CST</a>	209.3° [NNE]	8.7 kn	1.9 m	00:01:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 17:12:49 CST</a>	35.7° [SW]	8.5 kn	2 m	<a href="#">01/10/2018 17:14:59 CST</a>	33.9° [SW]	7.8 kn	2 m	00:02:00
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 16:49:43 CST</a>	213.1° [NNE]	12.9 kn	2 m	<a href="#">01/10/2018 16:50:46 CST</a>	213.9° [NE]	10.4 kn	2 m	00:01:00

URBAN JOURNEY	3047424	WDJ4540	Passenger	<a href="#">01/10/2018 16:46:46 CST</a>	35.3° [SW]	9.2 kn	1.9 m	<a href="#">01/10/2018 16:47:54 CST</a>	33.7° [SSW]	9 kn	1.9 m	00:01:00
FLYER	4096000	WDJ5814	Passenger	<a href="#">01/10/2018 16:25:47 CST</a>	211.8° [NNE]	11.7 kn	2 m	<a href="#">01/10/2018 16:26:37 CST</a>	211° [NNE]	8.9 kn	2 m	00:01:00
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 16:21:33 CST</a>	39.2° [SW]	9.7 kn	2 m	<a href="#">01/10/2018 16:23:43 CST</a>	33.1° [SSW]	23.1 kn	2 m	00:02:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 16:01:54 CST</a>	215° [NE]	9.1 kn	2 m	<a href="#">01/10/2018 16:03:52 CST</a>	224.8° [NE]	5.4 kn	2 m	00:02:00
FLYER	4096000	WDJ5814	Passenger	<a href="#">01/10/2018 15:55:59 CST</a>	35.6° [SW]	11.4 kn	2 m	<a href="#">01/10/2018 15:57:32 CST</a>	34.5° [SW]	11.2 kn	2 m	00:02:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 15:31:59 CST</a>	31.8° [SSW]	11.7 kn	2 m	<a href="#">01/10/2018 15:32:29 CST</a>	33.5° [SSW]	10.6 kn	2 m	00:01:00
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 15:09:57 CST</a>	213.2° [NNE]	8.9 kn	2 m	<a href="#">01/10/2018 15:11:50 CST</a>	221.9° [NE]	4.4 kn	2 m	00:02:00
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 14:41:59 CST</a>	35.2° [SW]	9.2 kn	2 m	<a href="#">01/10/2018 14:43:51 CST</a>	35.2° [SW]	18.9 kn	2 m	00:02:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 14:20:55 CST</a>	214.2° [NE]	7.8 kn	2 m	<a href="#">01/10/2018 14:22:50 CST</a>	226.4° [NE]	5.3 kn	2 m	00:02:00
NYPD_628		WDH6551	Law Enforcement	<a href="#">01/10/2018 14:02:45 CST</a>	211.6° [NNE]	5.9 kn		<a href="#">01/10/2018 14:04:55 CST</a>	224.4° [NE]	13.2 kn		00:02:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 13:51:27 CST</a>	34.4° [SW]	12.9 kn	2 m	<a href="#">01/10/2018 13:52:55 CST</a>	32.1° [SSW]	10.9 kn	2 m	00:01:00
FLYER	4096000	WDJ5814	Passenger	<a href="#">01/10/2018 13:30:58 CST</a>	219.8° [NE]	11.2 kn	2 m	<a href="#">01/10/2018 13:31:50 CST</a>	219.3° [NE]	6 kn	2 m	00:01:00
FLYER	4096000	WDJ5814	Passenger	<a href="#">01/10/2018 13:00:38 CST</a>	37.2° [SW]	11.4 kn	2 m	<a href="#">01/10/2018 13:02:52 CST</a>	33.7° [SSW]	24.8 kn	2 m	00:02:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 12:42:58 CST</a>	216.5° [NE]	11.1 kn	2 m	<a href="#">01/10/2018 12:43:50 CST</a>	221.6° [NE]	7.5 kn	2 m	00:01:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 12:07:39 CST</a>	27.3° [SSW]	11.3 kn	2 m	<a href="#">01/10/2018 12:09:22 CST</a>	28.7° [SSW]	9.4 kn	2 m	00:02:00
FLYER	4096000	WDJ5814	Passenger	<a href="#">01/10/2018 11:50:43 CST</a>	218.8° [NE]	10.2 kn	2 m	<a href="#">01/10/2018 11:52:48 CST</a>	212.3° [NNE]	5.5 kn	2 m	00:02:00

FLYER	4096000	WDJ5814	Passenger	<a href="#">01/10/2018 11:21:40 CST</a>	36.7° [SW]	9.6 kn	2 m	<a href="#">01/10/2018 11:22:56 CST</a>	34.6° [SW]	9.4 kn	2 m	00:01:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 11:03:49 CST</a>	211.8° [NNE]	12.1 kn	2 m	<a href="#">01/10/2018 11:04:55 CST</a>	217.8° [NE]	5.6 kn	2 m	00:01:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 10:31:56 CST</a>	36° [SW]	9.7 kn	2 m	<a href="#">01/10/2018 10:32:36 CST</a>	33.3° [SSW]	7.8 kn	2 m	00:01:00
FLYER	4096000	WDJ5814	Passenger	<a href="#">01/10/2018 10:10:45 CST</a>	215.6° [NE]	10 kn	2 m	<a href="#">01/10/2018 10:12:53 CST</a>	216.9° [NE]	7.4 kn	2 m	00:02:00
FLYER	4096000	WDJ5814	Passenger	<a href="#">01/10/2018 09:41:49 CST</a>	36.5° [SW]	9.8 kn	2 m	<a href="#">01/10/2018 09:43:49 CST</a>	33.9° [SW]	7.1 kn	2 m	00:02:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 09:22:40 CST</a>	212.3° [NNE]	8.6 kn	2 m	<a href="#">01/10/2018 09:23:50 CST</a>	216.3° [NE]	9.3 kn	2 m	00:01:00
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 08:51:58 CST</a>	32.5° [SSW]	9.9 kn	2 m	<a href="#">01/10/2018 08:52:39 CST</a>	31.4° [SSW]	9.7 kn	2 m	00:01:00
FLYER	4096000	WDJ5814	Passenger	<a href="#">01/10/2018 08:30:59 CST</a>	209.6° [NNE]	9.7 kn	2 m	<a href="#">01/10/2018 08:31:52 CST</a>	218.2° [NE]	10.3 kn	2 m	00:01:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 08:27:30 CST</a>	36.1° [SW]	12.1 kn	2 m	<a href="#">01/10/2018 08:29:15 CST</a>	33.8° [SW]	8.4 kn	2 m	00:02:00
URBAN JOURNEY	3047424	WDJ4540	Passenger	<a href="#">01/10/2018 08:06:55 CST</a>	208.6° [NNE]	19.2 kn	1.9 m	<a href="#">01/10/2018 08:07:47 CST</a>	222.1° [NE]	6.5 kn	1.9 m	00:01:00
FLYER	4096000	WDJ5814	Passenger	<a href="#">01/10/2018 08:00:46 CST</a>	35.8° [SW]	8.7 kn	2 m	<a href="#">01/10/2018 08:03:45 CST</a>	37.9° [SW]	21.8 kn	2 m	00:03:00
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 07:40:44 CST</a>	214.5° [NE]	13 kn	2 m	<a href="#">01/10/2018 07:41:43 CST</a>	219.9° [NE]	12.4 kn	2 m	00:01:00
URBAN JOURNEY	3047424	WDJ4540	Passenger	<a href="#">01/10/2018 07:35:58 CST</a>	34.8° [SW]	8.6 kn	1.9 m	<a href="#">01/10/2018 07:37:36 CST</a>	35.9° [SW]	20.2 kn	1.9 m	00:02:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 07:15:56 CST</a>	215.3° [NE]	10.7 kn	2 m	<a href="#">01/10/2018 07:17:54 CST</a>	228.6° [NE]	7.4 kn	2 m	00:02:00
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 07:11:46 CST</a>	32° [SSW]	8.4 kn	2 m	<a href="#">01/10/2018 07:13:20 CST</a>	36.6° [SW]	19.7 kn	2 m	00:02:00
FLYER	4096000	WDJ5814	Passenger	<a href="#">01/10/2018 06:51:57 CST</a>	212° [NNE]	10.5 kn	2 m	<a href="#">01/10/2018 06:52:29 CST</a>	219.9° [NE]	10 kn	2 m	00:01:00

OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 06:46:58 CST</a>	45.2° [SW]	8.7 kn	2 m	<a href="#">01/10/2018 06:48:56 CST</a>	33.4° [SSW]	6.5 kn	2 m	00:02:00
URBAN JOURNEY	3047424	WDJ4540	Passenger	<a href="#">01/10/2018 06:25:52 CST</a>	213.6° [NNE]	15.7 kn	1.9 m	<a href="#">01/10/2018 06:26:58 CST</a>	216.9° [NE]	8.3 kn	1.9 m	00:01:00
URBAN JOURNEY	3047424	WDJ4540	Passenger	<a href="#">01/10/2018 06:14:56 CST</a>	37.5° [SW]	19.9 kn	1.9 m	<a href="#">01/10/2018 06:16:22 CST</a>	41.2° [SW]	19.5 kn	1.9 m	00:02:00
SPRING MALLARD	819200	WDJ6389	Passenger, No additional information	<a href="#">01/10/2018 05:59:46 CST</a>	211.8° [NNE]	13.9 kn	2 m	<a href="#">01/10/2018 06:00:53 CST</a>	218.5° [NE]	11.3 kn	2 m	00:01:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 05:38:35 CST</a>	213.7° [NNE]	12 kn	2 m	<a href="#">01/10/2018 05:39:47 CST</a>	211.1° [NNE]	11.4 kn	2 m	00:01:00
OPPORTUNITY		WDJ5813	Passenger	<a href="#">01/10/2018 05:22:50 CST</a>	21.4° [SSW]	5 kn	2 m	<a href="#">01/10/2018 05:24:55 CST</a>	34.5° [SW]	5.7 kn	2 m	00:02:00



Ravenswood

Type: User Zone

Vessels In User Zone: 1

Notes

Create Alert



Go



40.750186, -73.952843

20:00 CST



Previous Day

01/10/2018

Next Day

Speed:

Medium

Interval:

1 minute



Map Legend



**portvision|360**

Search for Vessel or Location 

Case 3:19-cv-00154 Document 15-1 Filed on 06/01/20 in TXSD Page 47 of 94

Walk Me Through Map Reports Alerts Elliot Tulloch 

**OPPORTUNITY**

Type: Passenger

Location

At New York (US NYC)

Lat / Long: 40.759925, -73.949000

Heading: 33 °

Course: 32.9 °

Speed: 7.1 knots

Reported: 01/10/2018 18:52:06 CST (2 years ago)

Source: Public Terrestrial AIS

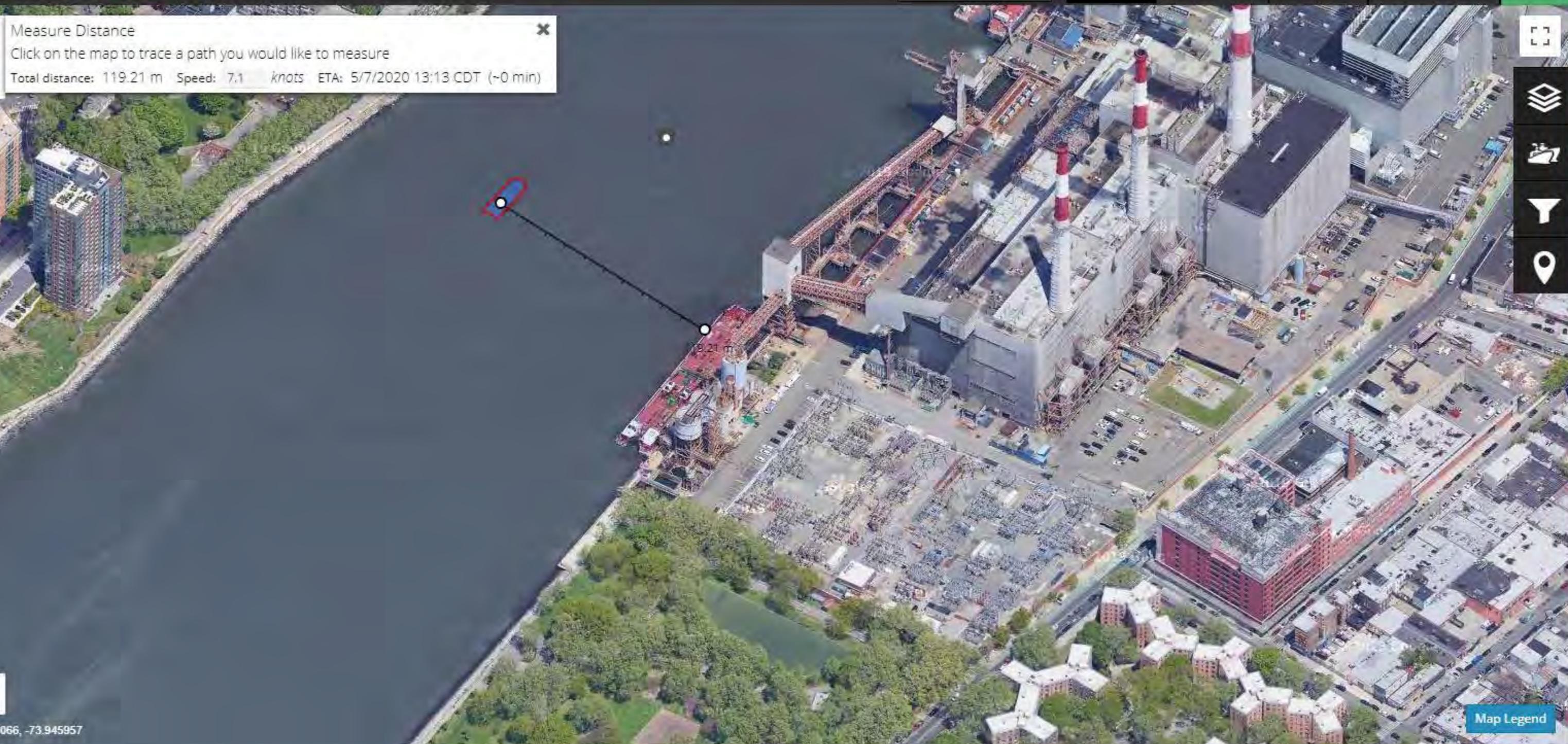
Vessel Events

Vessel Notes

RESOURCES: AIS / USCG / Q88

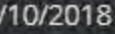
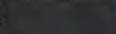
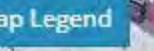
Show Vessel Track 

 Measure Distance  
Click on the map to trace a path you would like to measure  
Total distance: 119.21 m Speed: 7.1 knots ETA: 5/7/2020 13:13 CDT (~0 min)

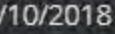
An aerial satellite map showing a river flowing through an urban area. A red and blue track is drawn on the water, starting from a point near a bridge and ending at a large industrial facility with several tall chimneys. The map also shows surrounding buildings, roads, and green spaces.

40.759066, -73.945957

18:52:10 CST

Follow Vessel    

Speed: Medium Interval: 10 seconds 

 Previous Day 01/10/2018 Next Day 



OPPORTUNITY



Type: Passenger

Location

At New York (US NYC)

Lat / Long: 40.759248, -73.949308

Heading: 217 °

Course: 215.6 °

Speed: 12.5 knots

Reported: 01/10/2018 19:22:08 CST (2 years ago)

Source: Public Terrestrial AIS

Vessel Events

Vessel Notes

RESOURCES: AIS / USCG / Q88

Show Vessel Track

Go



40.757715, -73.949171



19:22:10 CST

Follow Vessel



← Previous Day

01/10/2018

Next Day →

Speed:

Medium

Interval:

10 seconds



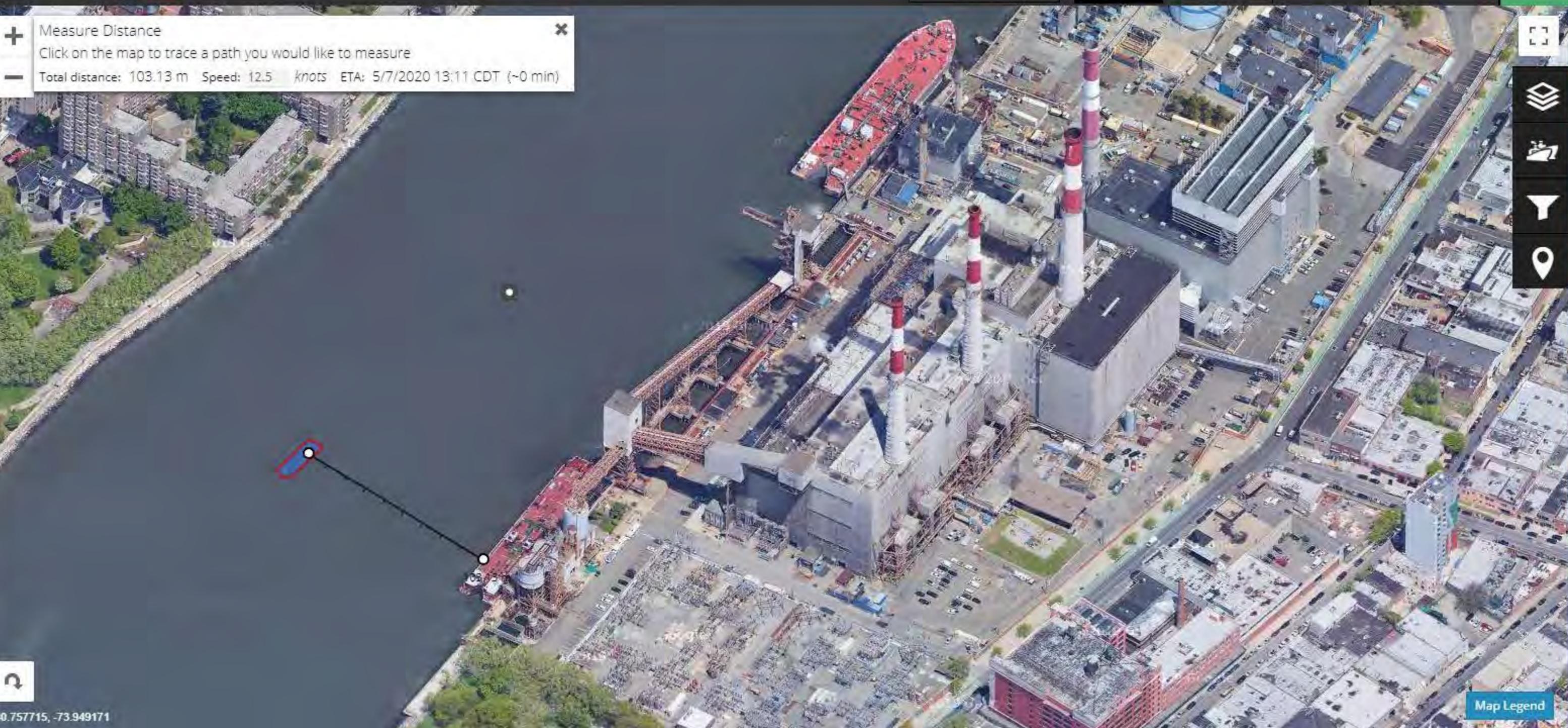
Map Controls

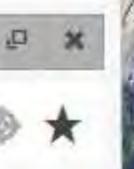
Favorite Vessels



BBC CALIFORNIA X AAL GENOA X PAC ANTARES X

13:11 CDT





SPRING MALLARD



Type: Passenger, No additional information

## Location

At Queensboro Bridge, NY

Lat / Long: 40.756593, -73.952242

Heading: 56 °

Course: 66.1 °

Speed: 7.8 knots

Reported: 01/10/2018 21:20:34 CST (2 years ago)

Source: Public Terrestrial AIS

## Vessel Events

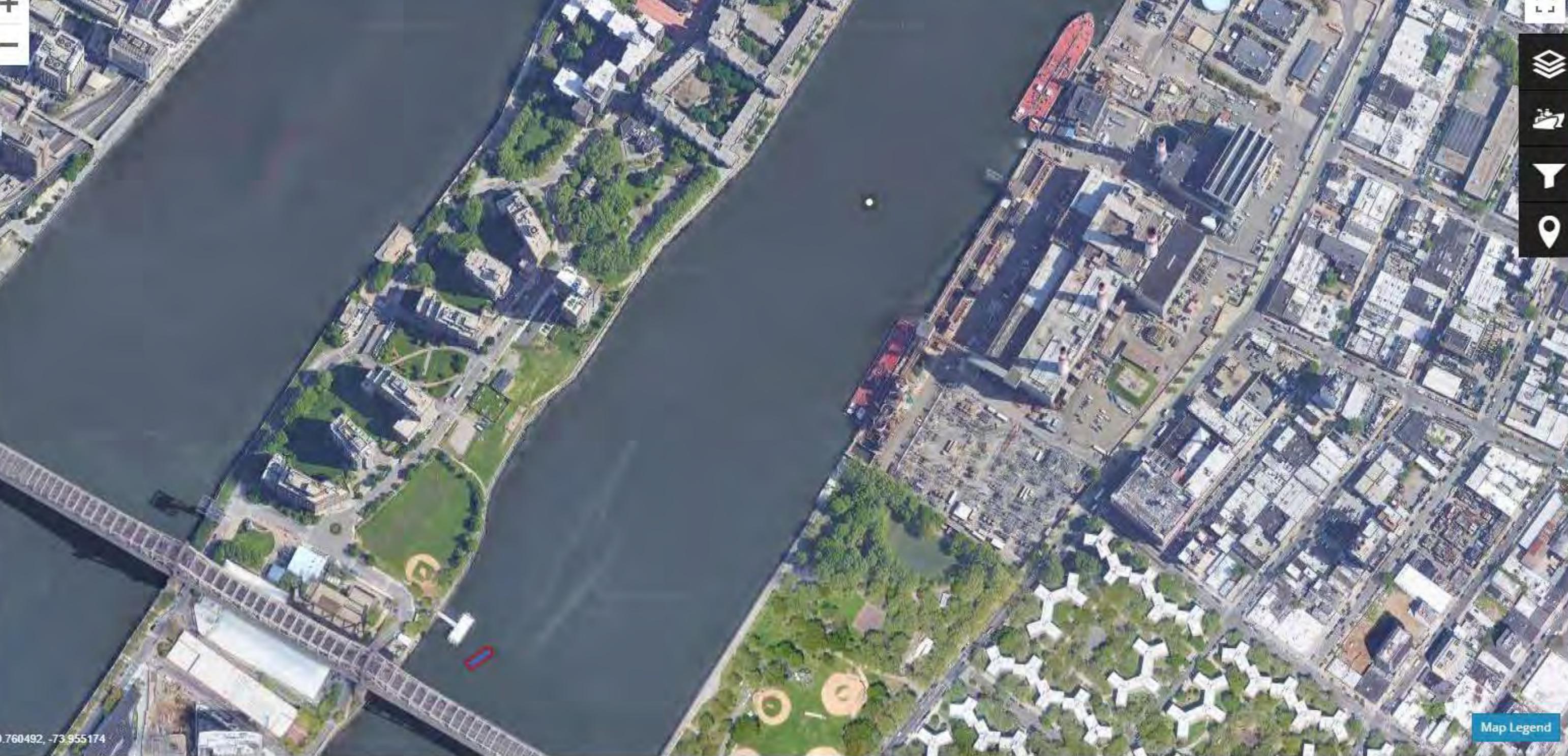
## Vessel Notes

RESOURCES: AIS / USCG / Q88

Show Vessel Track

▼ Go

40.760492, -73.955174



21:20:40 CST

Follow Vessel



01/10/2018

Next Day

Speed:

Medium

▼

Interval:

10 seconds



Map Legend



SPRING MALLARD



Type: Passenger, No additional information

## Location

At New York (US NYC)

Lat / Long: 40.759142, -73.949590

Heading: 34 °

Course: 34 °

Speed: 7.3 knots

Reported: 01/10/2018 19:41:43 CST (2 years ago)

Source: Public Terrestrial AIS

## Vessel Events

## Vessel Notes

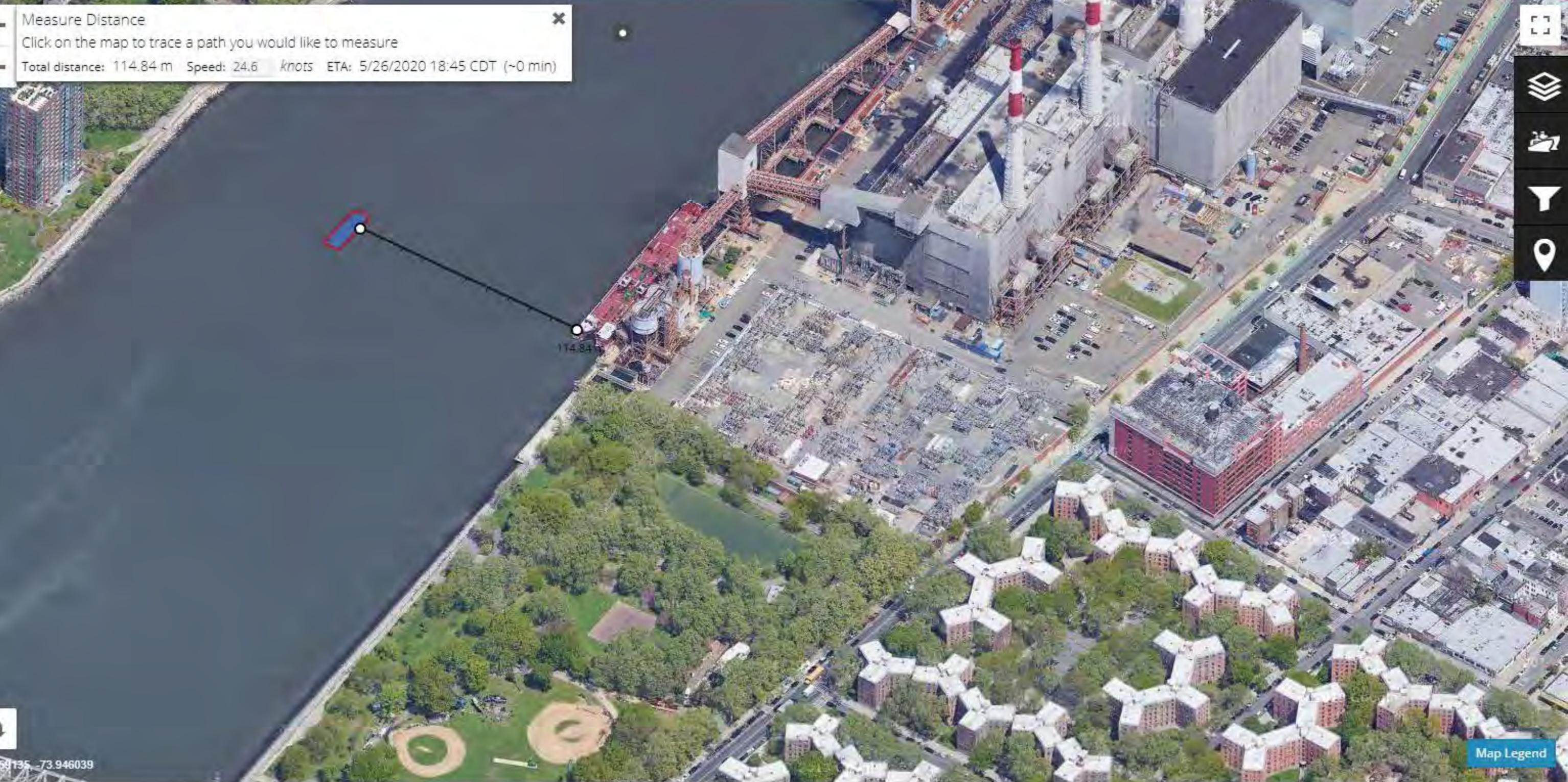
RESOURCES: AIS / USCG / Q88

Show Vessel Track

Go



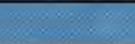
40.759135, -73.946039



Map Legend

19:42 CST

Follow Vessel



Previous Day

01/10/2018

Next Day

Speed:

Medium ▾

Interval: 5 minute ▾



vii) M/V OPPORTUNITY Vessel Particulars and Photographs

[Format & Download](#)[Back to Vessels page](#)**A****B****C****D**

Vessel Name	OPPORTUNITY	USCG Doc. No.	1278039
Vessel Service	Passenger (Inspected)	IMO Number	
Trade Indicator	Coastwise Unrestricted, Registry	Call Sign	WDJ5813
Hull Material	Aluminum	Hull Number	H204
Ship Builder		Year Built	2017
		Length (ft.)	80
Hailing Port	NEW YORK	Hull Depth (ft.)	9
		Hull Breadth (ft.)	26
		Gross Tonnage	90
		Net Tonnage	61
Documentation Issuance Date	August 29, 2019	Documentation Expiration Date	August 31, 2020
Historical vessel Names	OPPORTUNITY		



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MarineTraffic.com



viii) M/V SPRING MALLARD Vessel Particulars and Photographs

[Format & Download](#)[Back to Vessels page](#)

A	B	C	D
Vessel Name	SPRING MALLARD	USCG Doc. No.	1278036
Vessel Service	Passenger (Inspected)	IMO Number	
Trade Indicator	Coastwise Unrestricted, Registry	Call Sign	WDJ6389
Hull Material	Aluminum	Hull Number	H208
Ship Builder		Year Built	2017
		Length (ft.)	80
Hailing Port	NEW YORK	Hull Depth (ft.)	9
		Hull Breadth (ft.)	26
		Gross Tonnage	90
		Net Tonnage	61
Documentation Issuance Date	August 29, 2019	Documentation Expiration Date	August 31, 2020
Historical vessel Names	SPRING MALLARD, H208		





- ix) Excerpts from *International Safety Guide for Oil Tankers and Terminals* (ISGOTT),  
5<sup>th</sup> Edition

# ISGOTT

## International Safety Guide for Oil Tankers and Terminals

Fifth Edition

INTERNATIONAL CHAMBER OF SHIPPING  
OIL COMPANIES INTERNATIONAL MARINE FORUM  
INTERNATIONAL ASSOCIATION OF PORTS AND HARBORS

### 23.4.1 Type and Quality of Mooring Lines

Mooring lines should preferably all be of the same material and construction. Ropes with low elastic elongation properties are recommended for larger tankers, as they limit the tanker's movement at the berth. High modulus synthetic fibre ropes are a viable replacement for winch-stowed steel wire ropes for the mooring of large tankers at terminals, other than single point moorings. Recommendations on their use are contained in the OCIMF publication '*Guidelines on the Use of High Modulus Synthetic Fibre Ropes as Mooring Lines on Large Tankers*'.

Moorings composed entirely of high elasticity ropes are not recommended as they can allow excessive movement from strong wind or current forces or through interaction from passing ships. Within a given mooring pattern, ropes of different elasticity should never be used together in the same direction.

Mooring conditions and regulations may differ from port to port.

Where dynamic (shock) loading on moorings can be caused by swell conditions or the close passing of ships, fibre tails on the ends of mooring wires and high modulus synthetic fibre mooring ropes can provide sufficient elasticity to prevent failure of the mooring and other components in the mooring system. The tanker or the terminal may provide the tails, whose length should not exceed one third of the distance between the ship's fairlead and the shore mooring bollard.

Because fibre tails will deteriorate more rapidly than the wires or high modulus synthetic fibre ropes to which they are attached, they should be at least 25% stronger than the line to which they are attached. They should be inspected frequently, particularly where they are connected to the wire, and replaced if there are signs of damage.

### 23.4.2 Management of Moorings at Alongside Berths

#### 23.4.2.1 Tending of Moorings

Ship's personnel are responsible for the frequent monitoring and careful tending of the moorings, but suitably qualified shore personnel should check the moorings periodically to satisfy themselves that they are being properly tended.

When tending moorings which have become slack or too taut, an overall view of the mooring system should be taken so that the tightening or slackening of individual lines does not allow the tanker to move or place undue loads on other lines. The tanker should maintain contact with the fenders, and moorings should not be slackened if the tanker is lying off the fenders.

During cold weather, steam operated winches and windlasses should be rotated slowly when not in use to avoid damage due to freezing.

#### 23.4.2.2 Tension Winches

Self-tensioning winches fitted with automatic rendering and hauling capability should not be used in the automatic mode while the vessel is moored. In automatic mode, such winches, by

definition, will render under load and will allow the vessel to move out of position, with consequent risk to cargo arms or hoses.

### 23.4.2.3 Self-Stowing Mooring Winches

Because their weight and size make manual handling difficult, mooring wires used by large tankers are normally stored on self-stowing mooring winches, which may be either single drum or split drum. Some features of these winches need to be clearly understood by ship's personnel in order to avoid tankers breaking adrift from berths as the result of slipping winch brakes.

The design holding power of the brake may either have been specified by the shipowner or be the standard design of the winch manufacturer. Every ship's officer should be aware of the designed brake holding capacity of the self-stowing mooring winches installed on the ship.

The physical condition of the winch gearing and brake shoe linings or blocks has a significant effect on brake holding capacity in service. Mooring winch brakes should therefore be tested at regular intervals, not exceeding twelve months. A record, both of regular maintenance and inspections and of tests, should be kept on the ship. If the deterioration is significant, the linings or blocks must be renewed.

Some of the newer self-stowing mooring winches are fitted with disc brakes, which are less affected by wear.

Kits are available for testing winch brake holding capacity and can be placed on board for use by the crew.

In addition, there are a number of operational procedures that can seriously reduce the holding capacity of winch brakes if they are not correctly carried out. These include:

#### The Number of Layers of Wire on the Drum

The holding capacity of a winch brake is in inverse proportion to the number of layers of the mooring wire or rope on the drum. The designed holding capacity is usually calculated with reference to the first layer and there is a reduction in the holding capacity for each additional layer. This can be substantial – as much as an 11% reduction for the second layer.

If the rated brake holding capacity of a split drum winch is not to be reduced, only one layer should be permitted on the working drum.

#### The Direction of Reeling on the Winch Drum

On both single and split drum winches, the holding power of the brake is decreased substantially if the mooring line is reeled on the winch drum in the wrong direction. Before arrival at the berth, it is important to confirm that the mooring line is reeled so that its pull will be against the fixed end of the brake strap, rather than the pinned end. Reeling in the contrary direction can seriously reduce the brake holding capacity, in some cases by as much as 50%. The correct reeling direction to assist the brake should be permanently marked on the drum to avoid misunderstanding.

## 26.4 Guidelines for Completing the Ship/Shore Safety Check-List

### Part 'A' – Bulk Liquid General – Physical Checks

#### 1. There is safe access between the ship and shore.

The access should be positioned as far away from the manifolds as practicable.

The means of access to the ship should be safe and may consist of an appropriate gangway or accommodation ladder with a properly secured safety net fitted to it.

Particular attention to safe access should be given where the difference in level between the point of access on the ship and the jetty or quay is large, or is likely to become large.

When terminal access facilities are not available and a ship's gangway is used, there should be an adequate landing area on the berth so as to provide the gangway with a sufficient clear run of space and so maintain safe and convenient access to the ship at all states of tide and changes in the ship's freeboard.

Near the access ashore, appropriate life-saving equipment should be provided by the terminal. A lifebuoy should be available on board the ship near the gangway or accommodation ladder.

The access should be safely and properly illuminated during darkness.

Persons who have no legitimate business on board, or who do not have the Master's permission, should be refused access to the ship.

The terminal should control access to the jetty or berth in agreement with the ship.

#### 2. The ship is securely moored.

When considering this item, due regard should be given to the need for adequate fendering arrangements.

Ships should remain adequately secured in their moorings. Alongside piers or quays, ranging of the ship should be prevented by keeping all mooring lines taut. Attention should be given to the movement of the ship caused by wind, currents, tides or passing ships and the operation in progress.

Wire ropes and fibre ropes should not be used together in the same direction (i.e. as breast lines, spring lines, head or stern lines) because of the difference in their elastic properties.

Once moored, ships fitted with automatic tension winches should not use such winches in the automatic mode.

Means should be provided to enable quick and safe release of the ship in case of an emergency. In ports where anchors are required to be used, special consideration should be given to this matter.

Irrespective of the mooring method used, the emergency release operation should be agreed, taking into account the possible risks involved.

Anchors not in use should be properly secured.

#### 3. The agreed ship/shore communication system is operative.

Communication should be maintained in the most efficient way between the Responsible Officer on duty on the ship and the Terminal Representative.

- x) Excerpts from *Mooring Equipment Guidelines*, 2<sup>nd</sup> Edition



# **Mooring Equipment Guidelines**

**(Second Edition – 1997)**

*The OCIMF mission is to be recognised internationally as the foremost authority on the safe and environmentally responsible operation of oil tankers and terminals.*

# Section 7.0

## *Winch Performance, Brake Holding Capacity and Strength Requirements*

### **7.1 FUNCTION AND TYPE OF MOORING WINCHES**

Mooring winches perform a multitude of functions. They secure the shipboard end of mooring lines, provide for adjustment of the mooring line length to suit the mooring pattern in each port and compensate for changes in draft and tide. They serve to store the mooring line when not in use and to haul the ship into position against environmental or inertia forces. They also act as a safety device that releases the line load in a controlled manner once the force in the line increases to the point of near-breakage. General requirements for shipboard mooring winches are dealt with in ISO Standards 3730 and 7825.

Winches can be categorised by their control type (automatic or manual tensioning), drive type (steam, hydraulic or electric), by the number of drums associated with each drive (single drum, double drum, triple drum), by the type of drums (split, undivided) and by their brake type and brake application (band, disc, mechanical screw, spring applied). Each of these features influences the mooring winch function and will be briefly discussed below.

### **7.2 AUTOMATIC TENSION WINCHES VERSUS MANUAL WINCHES**

Automatic tension winches are designed to automatically heave-in whenever the line tension falls below a certain pre-set value. Likewise, they will pay out if the line tension exceeds a pre-set value. Manual winches always require a person to handle the controls for heaving or rendering.

In practice, the use of the self-tension winch is not recommended except for moorings deployed at 90° to the ship's axis. Automatic tension winches should not be used for spring lines, for example, since it has been known for the winches to cause the ship to 'walk' along the pier. This is because spring line forces oppose each other, leaving only the difference between the heaving and rendering values of the winches available to resist longitudinal environmental forces.

In theory, automatic tension winches would be ideal for breast lines forming a 90° angle to the ship axis. If the breast lines cannot be arranged at the optimum 90° angle due to the location of mooring fittings at the pier and on the ship, the mooring restraint capability may be reduced because the lines' fore-and-aft components oppose each other. For this reason, most terminals do not allow the use of the automatic feature and require that the winch be placed on the manual brake while the ship is moored. See also Reference 6, Section 3.5.4.

### **7.3 WINCH DRUMS**

Winch drums may be either split or undivided. The split drum is composed of a tension section and a line storage section. It has the advantage that it can maintain a constant brake holding capacity and heaving force, due to the fact that the mooring line is always run off the first layer of the tension drum. For this reason, split drum winches are preferred by some operators, especially for

- xi) United States Coast Guard Port State Information Exchange Records

**Results for Vessel: CONNECTICUT****Vessel Information:**

**Vessel Name:** CONNECTICUT  
**Primary Vessel Number:** 999754  
*(Official Number (U.S.))*  
**Hull Identification Number:** N/A  
**Manufacturer Hull Number:** 1360  
**IMO Number:** N/A  
**Vessel Flag:** UNITED STATES  
**Vessel Call Sign:** WCE4420

**Vessel Particulars:**

**Service:** Tank Barge  
**Length:** 310.10 ft  
**Breadth:** 60.00 ft  
**Depth:** 20.50 ft  
**Build Year:** 1994  
**Alternate VINs:**

- CG400151 (*Coast Guard Number*)

**Service Information:**

**Service Status:** Active  
**Out Of Service Date:** N/A  
**Last Removed From Service By:** N/A

**Tonnage Information:**

**Cargo Authority:** GRADE 'A' (MAX. 25 PSIA REID) AND LOWER FLAMMABLE OR COMBUSTIBLE LIQUIDS

**Tonnage:**

- 3141 - Convention (Subpart B), Gross Ton
- 1598 - Convention (Subpart B), Net Ton
- 9831 - Dead Weight, Ton

**Vessel Documents and Certifications**

Document	Agency	Date Issued	Expiration Date
CERTIFICATE OF DOCUMENTATION	USCG	February 26,2020	March 31,2021
Certificate of Inspection	USCG	March 22,2019	March 22,2024
Certificate of Inspection - Amended	USCG	March 22,2019	March 22,2024
Certificate of Inspection	N/A	April 14,2014	April 14,2019
Certificate of Inspection - Amended	N/A	April 14,2014	April 14,2019
Certificate of Inspection - Amended	USCG	April 14,2014	April 14,2019
Classification Document	ABS	April 14,2014	February 28,2019
International Load Line Certificate	ABS	April 14,2014	February 28,2019
International Oil Pollution Prevention Certificate	ABS	April 14,2014	February 28,2019
Load Line Certificate (Coastwise)	ABS	April 14,2014	February 28,2019
International Load Line Certificate	N/A	March 21,2011	February 28,2014
Classification Document	N/A	January 3,2011	February 28,2014
Classification Document	ABS	April 6,2009	February 28,2014
International Load Line Certificate	ABS	April 6,2009	February 28,2014
Load Line Certificate (Coastwise)	ABS	April 6,2009	February 28,2014
Load Line Certificate (Coastwise)	N/A	April 6,2009	February 28,2014
Certificate of Inspection	N/A	April 1,2009	April 1,2014
Certificate of Inspection - Amended	N/A	April 1,2009	April 1,2014
Certificate of Inspection	N/A	April 1,2009	April 1,2014
Certificate of Inspection - Amended	N/A	April 1,2009	April 1,2014
International Oil Pollution Prevention Certificate	N/A	April 1,2009	April 1,2014
International Oil Pollution Prevention Certificate	N/A	March 29,2009	April 1,2014
International Oil Pollution Prevention Certificate	N/A	January 25,2006	March 28,2009
Certificate of Inspection	N/A	March 31,2004	March 31,2009
Certificate of Inspection - Amended	N/A	March 31,2004	March 31,2009
International Oil Pollution Prevention Certificate	N/A	March 31,2004	February 28,2009
Classification Document	ABS	December 23,2003	January 31,2005
International Oil Pollution Prevention Certificate	N/A	April 25,2002	February 29,2004
Certificate of Inspection	N/A	January 16,2002	February 29,2004
Certificate of Inspection - Amended	N/A	January 16,2002	February 29,2004
International Oil Pollution Prevention Certificate	N/A	January 16,2002	February 29,2004
Certificate of Inspection	N/A	January 21,2000	January 21,2002
International Oil Pollution Prevention Certificate	N/A	February 4,1998	February 4,2002
Stability Letter	USCG	August 29,1994	
Tonnage Certificate, International	ABS	March 23,1994	

**Summary of Coast Guard Contacts**

To View Contact Data From:  To:  (MM/DD/YYYY)

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
6930258	Not Associated with a Case	STATEN ISLAND, New York	Sunday, March 22, 2020	Vessel Inspection

<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
6916341	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, February 26, 2020	Vessel Inspection
<b>Deficiency Information</b>				
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>		
14 - Pollution Prevention	141 - MARPOL Annex I	Invalid		
<b>Description of Deficiency</b>				
The cargo transfer piping shall be tested at least once a year for tightness. Each transfer pipe system must not leak under static liquid load pressure of at least 150% MAWP. Due to your operational constraints, vessel is allowed to complete current cargo discharge. Upon completion of the discharge, vessel is restricted from conducting cargo operations until a liquid load pressure test is conducted through-out the cargo transfer pipe system. All tests must be to the satisfaction of the attending USCG Marine Inspector. Prior to next cargo ops, after completing current discharge.				
<b>Due Date</b>	Resolved	<b>Resolved Date</b>		
Not Available	False	Not Available		
<b>Resolution Description</b>				
Not Available				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
6842527	Not Associated with a Case	STATEN ISLAND, New York	Saturday, October 26, 2019	Vessel Inspection
<b>Deficiency Information</b>				
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>		
Documentation	Logs/Records	Invalid		
<b>Description of Deficiency</b>				
Each completed op shall be signed by PIC and each completed page shall be signed by the master. Uncompleted pages are pre-signed.				
<b>Due Date</b>	Resolved	<b>Resolved Date</b>		
Wednesday, April 4, 2018	True	Wednesday, April 4, 2018		
<b>Resolution Description</b>				
Corrected on the spot.				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
6372375	Not Associated with a Case	STATEN ISLAND, New York	Thursday, March 15, 2018	Vessel Inspection
<b>Deficiency Information</b>				
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>		
Deck/Cargo	Cargo Transfer/Lightering (liquid)	Not Available		
<b>Description of Deficiency</b>				
The cargo transfer piping shall be tested at least once a year for tightness. Due to operational constraints, vessel is allowed to complete current cargo discharge. Upon completion of the discharge, vessel is restricted from conducting cargo operations until a pressure test is conducted.				
<b>Due Date</b>	Resolved	<b>Resolved Date</b>		
Not Available	True	Saturday, September 15, 2018		
<b>Resolution Description</b>				
Reiceved all testing certificates for hydstatic tests conducted.				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
6118168	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, April 5, 2017	Vessel Inspection

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type		
5848530	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, April 6, 2016	Vessel Inspection		
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type		
5102265	Not Associated with a Case	STATEN ISLAND, New York	Monday, April 13, 2015	Vessel Inspection		
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type		
4804937	Not Associated with a Case	STATEN ISLAND, New York	Monday, February 24, 2014	Vessel Inspection		
<b>Deficiency Information</b>						
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>			
Documentation		Logs/Records	Not Available			
<b>Description of Deficiency</b>						
Bunker delivery notes shall be kept onboard & readily available for inspection at all reasonable times. Shall be retained for a period of 3 years after fuel has been delivered onboard. Vessel unable to provide delivery notes for the last 9 fuel transfers. Last delivery note provided was for 09September 2013. MARPOL Annex VI Reg 18.6.						
<b>Due Date</b>		Resolved	<b>Resolved Date</b>			
Wednesday, May 14, 2014		True	Friday, May 2, 2014			
<b>Resolution Description</b>						
Received email from vessel representative showing bunker delivery analysis identifying sulfur content and delivery date.						
<b>Deficiency Information</b>						
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>			
Lifesaving		Line-Throwing Appliances	Not Available			
<b>Description of Deficiency</b>						
Vessel does not have a line throwing gun onboard. Vessel is a Permissively Manned Barge, Route: Ocean International. 46 CFR 199.610(a) & 46 CFR 199.170(a). Correct prior to Coastwise/ Oceans Route.						
<b>Due Date</b>		Resolved	<b>Resolved Date</b>			
Monday, April 21, 2014		True	Tuesday, April 15, 2014			
<b>Resolution Description</b>						
Vessel was provided with a line throwing gun.						
<b>Deficiency Information</b>						
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>			
Pollution Prevention/Response		Prevention Equipment	Not Available			
<b>Description of Deficiency</b>						
Vessel must demonstrate the proper operation of the High level alarm and Tank Overfill alarm loss of power system. 46CFR39.2009(a)(1) & 46CFR39.2007(b)(2)						
<b>Due Date</b>		Resolved	<b>Resolved Date</b>			
Wednesday, May 14, 2014		True	Tuesday, April 15, 2014			
<b>Resolution Description</b>						
Vessel properly demonstrated the operation of loss of power system to the liquid overfill protection.						
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type		
4580826	Not Associated with a Case	STATEN ISLAND, New York	Friday, May 3, 2013	Vessel Inspection		
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type		
4542961	Not Associated with a Case	STATEN ISLAND, New York	Monday, March 4, 2013	Vessel Inspection		
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type		
4540601	628537	WASHINGTON, District of Columbia	Wednesday, February 27, 2013	Incident Investigation		
<b>Incident Information</b>						
<b>Role</b>						
Involved in a Marine Casualty						
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type		

	4540591	Not Associated with a Case	Baltimore, Maryland	Wednesday, February 27, 2013	Vessel Inspection
<b>Deficiency Information</b>					
	<b>System</b>	<b>SubSystem</b>	<b>Cause</b>		
	Construction/Loadline	Hull	Not Available		
<b>Description of Deficiency</b>					
**Resolved Deficiency**	Portside of Rake IWO the chine, approx. 3 ft from the water is damaged and holed. Make temporary repairs, (drill stop & weld), as approved by USCG, ABS & Gen Ship Rep. Upon completion of temp repair and an inspection by USCG marine inspector proceed to New York, NY for permanent repairs. Per. repairs are to be inspected and approved by Cognizant OCMI prior to loading of any cargo.				
	<b>Due Date</b>	Resolved	<b>Resolved Date</b>		
	Wednesday, February 27, 2013	True	Monday, March 4, 2013		
<b>Resolution Description</b>					
	USCG and ABS approved permanent repairs made to damaged area.				
	<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
	4297022	Not Associated with a Case	STATEN ISLAND, New York	Friday, April 27, 2012	Vessel Inspection
	<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
	4280465	Not Associated with a Case	Portsmouth, Virginia	Wednesday, April 4, 2012	Vessel Inspection
	<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
	3969434	Not Associated with a Case	STATEN ISLAND, New York	Tuesday, March 22, 2011	Vessel Inspection
	<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
	3788851	Not Associated with a Case	New Orleans, Louisiana	Wednesday, July 7, 2010	Vessel Inspection
	<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
	3722858	Not Associated with a Case	STATEN ISLAND, New York	Thursday, May 6, 2010	Vessel Inspection
<b>Deficiency Information</b>					
	<b>System</b>	<b>SubSystem</b>	<b>Cause</b>		
	Lifesaving	Immersion Suits	Not Available		
**Resolved Deficiency**	Provide additional immersion suit.				
	<b>Due Date</b>	Resolved	<b>Resolved Date</b>		
	Sunday, June 6, 2010	True	Tuesday, May 11, 2010		
<b>Resolution Description</b>					
	Received receipt from vessel rep.				
	<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
	3441258	Not Associated with a Case	STATEN ISLAND, New York	Friday, March 7, 2008	Vessel Inspection
	<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
	3431431	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, March 11, 2009	Vessel Inspection
<b>Deficiency Information</b>					
	<b>System</b>	<b>SubSystem</b>	<b>Cause</b>		
	Documentation	Certificates/Documents	Not Available		
**Resolved Deficiency**	Demonstrate full compliance to MARPOL Annex VI regulations in order to obtain required IAPP certificate. Vessel is limited to Domestic voyages until compliance is proven.				
	<b>Due Date</b>	Resolved	<b>Resolved Date</b>		
	Not Available	True	Thursday, May 6, 2010		
<b>Resolution Description</b>					
	Completed satisfactory MARPOL Annex VI initial survey.				

<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
3126636	Not Associated with a Case	STATEN ISLAND, New York	Tuesday, January 8, 2008	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
3107486	Not Associated with a Case	NEW HAVEN, Connecticut	Friday, November 30, 2007	Vessel Transfer Monitor
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
2900577	Not Associated with a Case	STATEN ISLAND, New York	Tuesday, April 3, 2007	Vessel Inspection
<b>Deficiency Information</b>				
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>	
Deck/Cargo		Cargo Heating	Not Available	
<b>Description of Deficiency</b>				
Conduct Boiler Safety Tests on Thermal Fluid Heater				
<b>Due Date</b>		Resolved	<b>Resolved Date</b>	
Not Available		True	Friday, April 27, 2007	
<b>Resolution Description</b>				
Crew was able to complete satisfactory safety checks prior to CG Inspector departure				
<b>Deficiency Information</b>				
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>	
Accommodation/Occupational Safety		Sleeping Accommodations	Not Available	
<b>Description of Deficiency</b>				
Install hard-wired bunk lights on all berthing				
<b>Due Date</b>		Resolved	<b>Resolved Date</b>	
Friday, May 11, 2007		True	Monday, April 30, 2007	
<b>Resolution Description</b>				
Received digital pictures of satisfactory installation of lighting for berths				
<b>Deficiency Information</b>				
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>	
Deck/Cargo		Holds/Tanks	Not Available	
<b>Description of Deficiency</b>				
Provide proof of calibration of gas meter. Operational check was satisfactory.				
<b>Due Date</b>		Resolved	<b>Resolved Date</b>	
Friday, May 11, 2007		True	Friday, May 11, 2007	
<b>Resolution Description</b>				
Received fax of calibration done by SeaSafety on 09May07.				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
2776168	Not Associated with a Case	STATEN ISLAND, New York	Tuesday, September 12, 2006	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
2775504	314475	WASHINGTON, District of Columbia	Saturday, September 9, 2006	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
2775192	314475	NEW HAVEN, Connecticut	Saturday, September 9, 2006	Vessel Inspection
<b>Deficiency Information</b>				
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>	
Construction/Loadline		Structures	Not Available	
<b>Description of Deficiency</b>				
Do not load cargo prior to CG marine Inspector conducting ISE of the fwd rake and fwd 3 strb voids.				
<b>Due Date</b>		Resolved	<b>Resolved Date</b>	
Monday, September 11, 2006		True	Friday, September 22, 2006	
<b>Resolution Description</b>				
Made repairs to the satisfaction of the attending marine inspector.				

<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
2613774	Not Associated with a Case	STATEN ISLAND, New York	Friday, March 31, 2006	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
2601788	Not Associated with a Case	STATEN ISLAND, New York	Monday, March 13, 2006	Vessel Transfer Monitor
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
2573067	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, January 25, 2006	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
2517433	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, October 19, 2005	Vessel Inspection
<b>Deficiency Information</b>				
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>	
Deck/Cargo		Mooring/Anchoring	Not Available	
<b>Description of Deficiency</b>				
**Resolved Deficiency** Vessel's anchor winch has failed and will not weigh anchor. With out a functioning anchoring system as required by 33CFR155.230(b)(1) the vessel is not allowed to operate in the RNAs surrounding the Hudson River and Upper New York Bay therefore restriction the vessel to RIVERS Route.				
<b>Due Date</b>		Resolved	<b>Resolved Date</b>	
Not Available		True	Wednesday, October 19, 2005	
<b>Resolution Description</b>				
Received ABS report attesting to proper repairs.				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
2331830	Not Associated with a Case	STATEN ISLAND, New York	Tuesday, April 12, 2005	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
2284753	Not Associated with a Case	NEW HAVEN, Connecticut	Tuesday, February 1, 2005	Vessel Transfer Monitor
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
2017780	Not Associated with a Case	STATEN ISLAND, New York	Thursday, March 4, 2004	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1976041	Not Associated with a Case	Washington, District of Columbia	Wednesday, December 31, 2003	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1737161	Not Associated with a Case	STATEN ISLAND, New York	Tuesday, January 28, 2003	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1733525	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, April 2, 2003	Vessel Inspection
<b>Deficiency Information</b>				
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>	
Fire Fighting		Combustible Materials	Not Available	
<b>Description of Deficiency</b>				
**Resolved Deficiency** Remove combustible materials located in generator space.				
<b>Due Date</b>		Resolved	<b>Resolved Date</b>	
Friday, May 2, 2003		True	Thursday, May 1, 2003	
<b>Resolution Description</b>				
Not Available				
<b>Deficiency Information</b>				

	<b>Deficiency**</b>	<b>System</b> Fire Fighting	<b>SubSystem</b> Firemans Outfit	<b>Cause</b> Not Available
	<b>Description of Deficiency</b> Vsl missing spare bottle for SCBA. LEGACY COMPONENT DESC: Self-Contained Breathing Apparatus			
	<b>Due Date</b> Friday, May 2, 2003	Resolved True	<b>Resolved Date</b> Thursday, May 1, 2003	
	<b>Resolution Description</b> Not Available			
	<b>Deficiency Information</b>			
	<b>System</b> Electrical	<b>SubSystem</b> Electric Supply System (service)	<b>Cause</b> Not Available	
	<b>Description of Deficiency</b> Vsl's brackets on electrical cables on fwd mast wasted and/or broken off. LEGACY COMPONENT DESC: Cable			
	<b>Due Date</b> Friday, May 2, 2003	Resolved True	<b>Resolved Date</b> Thursday, May 1, 2003	
	<b>Resolution Description</b> Not Available			
	<b>Deficiency Information</b>			
	<b>System</b> Communications	<b>SubSystem</b> Alarms/Indicators	<b>Cause</b> Not Available	
	<b>Description of Deficiency</b> Vsl's smoke detectors in galley and berthing area inoperable. LEGACY COMPONENT DESC: Fire Alarm			
	<b>Due Date</b> Friday, May 2, 2003	Resolved True	<b>Resolved Date</b> Thursday, May 1, 2003	
	<b>Resolution Description</b> Not Available			
	<b>**Resolved Deficiency**</b>			

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
1612096	Not Associated with a Case	STATEN ISLAND, New York	Thursday, May 2, 2002	Vessel Inspection
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
1609552	Not Associated with a Case	STATEN ISLAND, New York	Thursday, April 25, 2002	Vessel Inspection
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
1492233	Not Associated with a Case	STATEN ISLAND, New York	Friday, March 8, 2002	Vessel Inspection
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
1478990	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, January 16, 2002	Vessel Inspection
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
1464904	Not Associated with a Case	STATEN ISLAND, New York	Friday, January 14, 2000	Vessel Inspection
	<b>Deficiency Information</b>			
	<b>System</b> Construction/Loadline	<b>SubSystem</b> Not Available	<b>Cause</b> Unknown	
	<b>Description of Deficiency</b> VESSEL TO PROCEED TO NORWALK, CT. TO OFFLOAD CARGO. THEN TO PROCEED (UNLOADED) IN FAIR WEATHER ONLY TO STATEN ISLAND TO AFFECT PERMANENT REPAIRS TO CRACK IN BILGE STRAKE, STBD AFT RAKE. MUST MAINTAIN PORTABLE PUMPS ABOARD VESSEL AND INSPECT DAM AREA EVERY 30 MIN UNTIL ARRIVAL IN S.I.			
	<b>Due Date</b> Wednesday, January 19, 2000	Resolved True	<b>Resolved Date</b> Wednesday, January 19, 2000	
	<b>Resolution Description</b> Not Available			
	<b>**Resolved Deficiency**</b>			

Activity	Case Number	Responsible Unit's USCG	Incident Date	Activity Type
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<b>Number</b>	<b>Zone/Port</b>		
1444476	Not Associated with a Case	STATEN ISLAND, New York	Thursday, March 1, 2001
<b>Deficiency Information</b>			
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
Deck/Cargo	Not Available	Unknown	
<b>Description of Deficiency</b>			
REPAIR OVERFILL ALARM TO #2 STBD CARGO TANK.			
<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
Thursday, March 8, 2001	True	Tuesday, March 6, 2001	
<b>Resolution Description</b>			
Not Available			
<b>Deficiency Information</b>			
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
Engineering	Not Available	Unknown	
<b>Description of Deficiency</b>			
SECURE THERMAL FLUID HEATER UNTIL PERMANENT REPAIRS MADE AND REPAIRS TEST SAT TO ATTENDING CGMI. PROVE OPERATIONAL TESTS SAT TO CGMI.			
<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
Thursday, March 1, 2001	True	Thursday, March 1, 2001	
<b>Resolution Description</b>			
Not Available			
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>
1441439	Not Associated with a Case	STATEN ISLAND, New York	Monday, December 28, 1998
<b>Deficiency Information</b>			
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
Construction/Loadline	Not Available	Unknown	
<b>Description of Deficiency</b>			
VSL MAY PROCEED TO NORWALK, CT TO DISCHARGE CURRENT LOAD OF CARGO. VSL MUST THEN PROCEED DIRECTLY TO A CLEANING FACILITY TO CLEAN & CONDUCT REPAIRS IAW ABS RPT #NY-3887 DTD 28DEC98. NO CARGO MAY BE LOADED UNTIL REPAIRS COMPLETED TO SATISFACTION OF OCMI & ABS.			
<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
Wednesday, December 30, 1998	True	Friday, January 8, 1999	
<b>Resolution Description</b>			
Not Available			
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>
1433913	Not Associated with a Case	STATEN ISLAND, New York	Monday, November 19, 2001
<b>Deficiency Information</b>			
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
Engineering	Diesel Engine (auxiliary)	Not Available	
<b>Description of Deficiency</b>			
COMPLETE AS BUILT VERIFICATION FOR THE NEW INSTALLATION OF DETROIT DIESEL ELECTRONICALLY CONTROLLED SERIES 60 CARGO PUMP PRIME MOVERS, IAW NYCM APPROVED PLANS AND LETTER PR-020019.			
<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
Friday, March 29, 2002	True	Thursday, May 1, 2003	
<b>Resolution Description</b>			
Not Available			
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>
1400525	Not Associated with a Case	STATEN ISLAND, New York	Saturday, March 22, 1997
<b>Deficiency Information</b>			
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
Unknown	Not Available	Unknown	
<b>Description of Deficiency</b>			
Vessel has torn hull at #5 CT starboard side.			
<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
Friday, March 28, 1997	True	Monday, April 7, 1997	
<b>Resolution Description</b>			

Not Available

<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1399071	Not Associated with a Case	STATEN ISLAND, New York	Thursday, March 25, 1999	Vessel Inspection
<b>Deficiency Information</b>				
	<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
	Construction/Loadline	Not Available	Unknown	
<b>Description of Deficiency</b>				
**Resolved Deficiency**	Install bilge pumping system for the forward and aft rakes to the satisfaction of an attending USCG marine inspector IAW 46 CFR 56.50-55(b).			
	<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
	Thursday, March 25, 1999	True	Thursday, March 25, 1999	
<b>Resolution Description</b>				
	Not Available			
<b>Deficiency Information</b>				
	<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
	Lifesaving	Not Available	Unknown	
<b>Description of Deficiency</b>				
**Resolved Deficiency**	Provide a USCG approval number for line throwing appliance as per 46CFR199.170.			
	<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
	Thursday, March 25, 1999	True	Thursday, March 25, 1999	
<b>Resolution Description</b>				
	Not Available			
<b>Deficiency Information</b>				
	<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
	Deck/Cargo	Not Available	Unknown	
<b>Description of Deficiency</b>				
**Resolved Deficiency**	Repair #4 stbd cargo tank high level alarm. Prove proper operation of cargotank high level alarm system.			
	<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
	Friday, March 26, 1999	True	Friday, March 26, 1999	
<b>Resolution Description</b>				
	Not Available			
<b>Deficiency Information</b>				
	<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
	Lifesaving	Not Available	Unknown	
<b>Description of Deficiency</b>				
**Resolved Deficiency**	Replace existing hand flares with 12 rocket parachute flares as per 46CFR199.60(c).			
	<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
	Thursday, March 25, 1999	True	Thursday, March 25, 1999	
<b>Resolution Description</b>				
	Not Available			
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1386020	Not Associated with a Case	STATEN ISLAND, New York	Saturday, June 7, 1997	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1176596	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, August 10, 1994	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1171789	Not Associated with a Case	STATEN ISLAND, New York	Tuesday, August 2, 1994	Vessel Inspection
<b>Deficiency Information</b>				
**Resolved Deficiency**	<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
	Documentation	Not Available	Unknown	
<b>Description of Deficiency</b>				
	BARGE HAS ADEQUATE STABILITY & STRENGTH TO PERMIT CARRIAGE OF A CARGO WITH A SPECIFIC GRAVITY OF 10489 OR LESS ON A MANNED VOYAGE FROM PORT OF NEW YORK, NY TO MONTVILLE, CT OR NORWALK, CT. DURING THIS VOYAGE, CARGO TANKS SHALL BE LOADED IN ACCORDANCE C.R. CUSHIHNG LTR 1847PS48.DOC DATED 1JUL94.			
	<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
	Tuesday, August 2, 1994	True	Tuesday, August 2, 1994	

**Resolution Description**

Not Available

<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1143891	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, January 25, 1995	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1142319	Not Associated with a Case	STATEN ISLAND, New York	Thursday, January 26, 1995	Vessel Inspection
<b>Deficiency Information System</b>		<b>SubSystem</b>	<b>Cause</b>	
Construction/Loadline		Not Available	Unknown	
<b>Description of Deficiency</b>				
**Resolved Deficiency**	MAKE PERMANENT REPAIRS TO BOTTOM PLATING AND ASSOCIATED INTERNAL FRAMING INTHE PORT SIDE FWD RAKE AND PORT WING TANK.			
<b>Due Date</b>	Resolved		<b>Resolved Date</b>	
Friday, February 3, 1995	True		Friday, February 3, 1995	
<b>Resolution Description</b>	Not Available			
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1123804	Not Associated with a Case	STATEN ISLAND, New York	Tuesday, April 20, 1999	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1112432	Not Associated with a Case	NEW HAVEN, Connecticut	Friday, June 6, 1997	Vessel Inspection
<b>Deficiency Information System</b>		<b>SubSystem</b>	<b>Cause</b>	
Construction/Loadline		Not Available	Unknown	
<b>Description of Deficiency</b>	Vessel is directed to proceed to Staten Island, NY. During transit, soundings and visual exams shall be conducted every 30 minutes. No cargo may be loaded until a damage survey is completed by the CG. Upon arrival in Staten Island, make the vessel available and ready for a CG inspection.			
<b>Due Date</b>	Resolved		<b>Resolved Date</b>	
Friday, June 6, 1997	True		Friday, June 6, 1997	
<b>Resolution Description</b>	Not Available			
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1107576	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, February 4, 1998	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1106119	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, February 12, 1997	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1104445	Not Associated with a Case	NEW HAVEN, Connecticut	Sunday, February 11, 1996	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
1092824	Not Associated with a Case	STATEN ISLAND, New York	Saturday, March 8, 1997	Vessel Inspection
<b>Deficiency Information System</b>		<b>SubSystem</b>	<b>Cause</b>	
Lifesaving		Not Available	Unknown	
<b>Description of Deficiency</b>	PROVE PROPER OPERATION OF COMBUSTIBLE GAS INDICATOR.			
<b>Due Date</b>	Resolved		<b>Resolved Date</b>	
Tuesday, March 11, 1997	True		Sunday, March 16, 1997	
<b>Resolution Description</b>	Not Available			

	<b>Not Available</b>		
<b>Deficiency Information</b>			
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
Lifesaving	Not Available	Unknown	
<b>Description of Deficiency</b>			
PROVE PROPER OPERATION OF SELF CONTAINED BREATHING APPARATUS.			
<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
Tuesday, March 11, 1997	True	Sunday, March 16, 1997	
<b>Resolution Description</b>			
Not Available			
<b>Deficiency Information</b>			
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
Lifesaving	Not Available	Unknown	
<b>Description of Deficiency</b>			
PROVIDE FLASHLIGHT AND EXTRA BATTERIES FOR EMERGENCY OUTFIT.			
<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
Tuesday, March 11, 1997	True	Sunday, March 16, 1997	
<b>Resolution Description</b>			
Not Available			
<b>Deficiency Information</b>			
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
Fire Fighting	Not Available	Unknown	
<b>Description of Deficiency</b>			
PROVIDE PROOF OF ANNUAL SERVICING OF FIRE EQUIPMENT.			
<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
Tuesday, March 11, 1997	True	Sunday, March 16, 1997	
<b>Resolution Description</b>			
Not Available			
<b>Deficiency Information</b>			
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
Lifesaving	Not Available	Unknown	
<b>Description of Deficiency</b>			
PROVIDE SPARE SELF CONTAINED BREATHING APPARATUS BOTTLE.			
<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
Tuesday, March 11, 1997	True	Sunday, March 16, 1997	
<b>Resolution Description</b>			
Not Available			
<b>Deficiency Information</b>			
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
Lifesaving	Not Available	Unknown	
<b>Description of Deficiency</b>			
REMOVE OBSTACLES IN WAY OF ESCAPE SCUTTLES.			
<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
Tuesday, March 11, 1997	True	Sunday, March 16, 1997	
<b>Resolution Description</b>			
Not Available			
<b>Deficiency Information</b>			
<b>System</b>	<b>SubSystem</b>	<b>Cause</b>	
Lifesaving	Not Available	Unknown	
<b>Description of Deficiency</b>			
REPLACE LIGHT ON LIFE PRESERVER AS NEEDED.			
<b>Due Date</b>	Resolved	<b>Resolved Date</b>	
Tuesday, March 11, 1997	True	Sunday, March 16, 1997	
<b>Resolution Description</b>			
Not Available			

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
1088274	Not Associated with a Case	STATEN ISLAND, New York	Thursday, July 1, 1999	Vessel Inspection
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
1071350	Not Associated with a Case	STATEN ISLAND, New York	Thursday, September 13, 2001	Vessel Inspection
Activity	Case Number	Responsible Unit's USCG	Incident Date	Activity Type

Number		Zone/Port		
1062024	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, April 25, 2001	Vessel Inspection
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
1061569	Not Associated with a Case	STATEN ISLAND, New York	Wednesday, March 28, 2001	Vessel Inspection
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
1048037	Not Associated with a Case	STATEN ISLAND, New York	Friday, January 21, 2000	Vessel Inspection
<b>Deficiency Information</b>				
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>	
Lifesaving		Not Available	Unknown	
<b>Description of Deficiency</b>				
**Resolved Deficiency** INSTALL FAN BELT GUARDS ON BOTH S/S GENERATORS.				
<b>Due Date</b>		Resolved	<b>Resolved Date</b>	
Tuesday, February 22, 2000		True	Tuesday, February 22, 2000	
<b>Resolution Description</b>				
Not Available				
<b>Deficiency Information</b>				
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>	
Deck/Cargo		Not Available	Unknown	
<b>Description of Deficiency</b>				
**Resolved Deficiency** PAINT/STENCIL SWL ON BOTH CARGO HOSE BOOMS.				
<b>Due Date</b>		Resolved	<b>Resolved Date</b>	
Tuesday, February 22, 2000		True	Tuesday, February 22, 2000	
<b>Resolution Description</b>				
Not Available				
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
1046067	Not Associated with a Case	STATEN ISLAND, New York	Tuesday, February 22, 2000	Vessel Inspection
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
877595	Not Associated with a Case	STATEN ISLAND, New York	Monday, February 12, 1996	Vessel Inspection
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
870207	Not Associated with a Case	STATEN ISLAND, New York	Monday, September 19, 1994	Vessel Inspection
Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
866488	Not Associated with a Case	STATEN ISLAND, New York	Thursday, July 7, 1994	Vessel Inspection
<b>Deficiency Information</b>				
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>	
Lifesaving		Not Available	Unknown	
<b>Description of Deficiency</b>				
**Resolved Deficiency** & STRENGTH TO PERMIT CARRIAGE OF A CARGO WITH A SPECIFIC GRAVITY OF 1.067 ON AN UNMANNED OCEAN VOYAGE FROM PORT OF PHILADELPHIA TO PORT OF NEW YORK. DURING THIS VOYAGE, CARGO TANKS SHALL BE LOADED IN ACCORDANCE WITH DATA & CALCULATIONS SUBMITTED IN C.R. CUSHING LETTER 1847PL48.DOC DTD 07JUL94.				
<b>Due Date</b>		Resolved	<b>Resolved Date</b>	
Thursday, July 7, 1994		True	Thursday, July 7, 1994	
<b>Resolution Description</b>				
Not Available				
<b>Deficiency Information</b>				
<b>System</b>		<b>SubSystem</b>	<b>Cause</b>	
Lifesaving		Not Available	Unknown	
<b>Description of Deficiency</b>				
**Resolved Deficiency** SUBMIT UPDATED STABILITY & CARGO LOADING CALCULATIONS TO USCG MARINE SAFETY CENTER, WASHINGTON, DC. UPDATED CALCULATION SHALL ADDRESS CARRIAGE				

OF CARGOES WITH SPECIFIC GRAVITIES IN EXCESS OF 1.025 (8.5 LBS/GAL). UNTIL  
CALCULATION ARE APPROVED, BARGE HAS ADEQUATE STABILITY (CONT)

<b>Due Date</b>	Resolved	<b>Resolved Date</b>
Thursday, July 7, 1994	True	Thursday, July 7, 1994
<b>Resolution Description</b>		
Not Available		

<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
805639	Not Associated with a Case	STATEN ISLAND, New York	Monday, November 16, 1998	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
805382	Not Associated with a Case	NEW HAVEN, Connecticut	Friday, November 13, 1998	Vessel Inspection
<b>Deficiency Information</b>				
<b>System</b>				
Construction/Loadline				
<b>Description of Deficiency</b>				
**Resolved Deficiency**	PROVE BOTTOM INSPECTION COMPLETE PRIOR TO LOADING CARGO. NOTIFY OCMI IN NEW YORK WHEN COMPLETE. DO NOT LOAD CARGO UNTIL OCMI NEW YORK OK'S IT.			
<b>Due Date</b>	Resolved	<b>Resolved Date</b>		
Saturday, December 26, 1998	True	Saturday, December 26, 1998		
<b>Resolution Description</b>				
Not Available				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
790972	Not Associated with a Case	STATEN ISLAND, New York	Friday, April 23, 1999	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
779448	Not Associated with a Case	STATEN ISLAND, New York	Monday, March 22, 1999	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
776956	Not Associated with a Case	NEW HAVEN, Connecticut	Saturday, June 7, 1997	Vessel Inspection
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
539636	Not Associated with a Case	NEW YORK, New York	Sunday, October 27, 1996	Vessel Transfer Monitor
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
533491	Not Associated with a Case	NEW HAVEN, Connecticut	Thursday, May 8, 1997	Vessel Transfer Monitor
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
523596	Not Associated with a Case	Belfast, Maine	Friday, April 7, 2000	Vessel Transfer Monitor
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
520839	Not Associated with a Case	STATEN ISLAND, New York	Thursday, October 5, 2000	Vessel Transfer Monitor
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
515915	Not Associated with a Case	STATEN ISLAND, New York	Sunday, August 20, 2000	Vessel Transfer Monitor
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
509512	Not Associated with a Case	NEW YORK, New York	Friday, March 1, 1996	Vessel Transfer

<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
503816	Not Associated with a Case	STATEN ISLAND, New York	Saturday, September 2, 2000	Vessel Transfer Monitor
503015	Not Associated with a Case	NEW HAVEN, Connecticut	Monday, December 5, 1994	Vessel Transfer Monitor
500830	Not Associated with a Case	STATEN ISLAND, New York	Thursday, December 2, 1999	Vessel Transfer Monitor
489817	Not Associated with a Case	NEW YORK, New York	Friday, March 24, 1995	Vessel Transfer Monitor
470599	Not Associated with a Case	NEW HAVEN, Connecticut	Friday, September 20, 1996	Vessel Transfer Monitor
470369	Not Associated with a Case	NEW YORK, New York	Saturday, May 6, 1995	Vessel Transfer Monitor
468417	Not Associated with a Case	STATEN ISLAND, New York	Sunday, January 28, 2001	Vessel Transfer Monitor
467268	Not Associated with a Case	NEW YORK, New York	Wednesday, June 14, 1995	Vessel Transfer Monitor
458258	Not Associated with a Case	STATEN ISLAND, New York	Friday, November 19, 1999	Vessel Transfer Monitor
451531	Not Associated with a Case	NEW HAVEN, Connecticut	Wednesday, October 14, 1998	Vessel Transfer Monitor
446420	Not Associated with a Case	NEW HAVEN, Connecticut	Friday, December 19, 1997	Vessel Transfer Monitor
444784	Not Associated with a Case	STATEN ISLAND, New York	Saturday, January 8, 2000	Vessel Transfer Monitor
442914	Not Associated with a Case	USCG Air Station, Massachusetts	Monday, July 30, 2001	Vessel Transfer Monitor
440827	Not Associated with a Case	NEW HAVEN, Connecticut	Thursday, June 3, 1999	Vessel Transfer Monitor

<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
439542	Not Associated with a Case	NEW HAVEN, Connecticut	Wednesday, July 30, 1997	Vessel Transfer Monitor
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
436608	Not Associated with a Case	STATEN ISLAND, New York	Thursday, December 2, 1999	Vessel Transfer Monitor
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
205887	8673	WASHINGTON, District of Columbia	Wednesday, August 23, 1995	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Suspected Pollution Source				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
205886	8674	WASHINGTON, District of Columbia	Wednesday, August 23, 1995	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Suspected Pollution Source				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
171824	961180	WASHINGTON, District of Columbia	Friday, November 10, 2000	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
165544	955657	WASHINGTON, District of Columbia	Friday, June 6, 1997	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
157517	39732	WASHINGTON, District of Columbia	Saturday, March 22, 1997	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
156901	948089	WASHINGTON, District of Columbia	Saturday, March 7, 1998	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
144218	936942	WASHINGTON, District of Columbia	Friday, January 20, 1995	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
114394	40002	WASHINGTON, District of Columbia	Sunday, December 27, 1998	Incident Investigation

**Incident Information****Role**

Involved in a Marine Casualty

<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
111839	908374	WASHINGTON, District of Columbia	Saturday, August 11, 2001	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
63112	865494	WASHINGTON, District of Columbia	Friday, November 13, 1998	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
62767	865180	WASHINGTON, District of Columbia	Friday, August 6, 1999	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
60516	863209	WASHINGTON, District of Columbia	Tuesday, July 15, 1997	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
51003	854800	WASHINGTON, District of Columbia	Thursday, March 16, 2000	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
45162	849607	WASHINGTON, District of Columbia	Friday, October 5, 2001	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
39768	844866	WASHINGTON, District of Columbia	Thursday, August 6, 1998	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>
26044	832724	WASHINGTON, District of Columbia	Thursday, January 13, 2000	Incident Investigation
<b>Incident Information</b>				
<b>Role</b>				
Involved in a Marine Casualty				
<b>Activity Number</b>	<b>Case Number</b>	<b>Responsible Unit's USCG Zone/Port</b>	<b>Incident Date</b>	<b>Activity Type</b>

22725	829806	WASHINGTON, District of Columbia	Wednesday, January 31, 1996	Incident Investigation
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**Incident Information****Role**

Involved in a Marine Casualty

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
16171	824019	WASHINGTON, District of Columbia	Saturday, August 18, 2001	Incident Investigation

**Incident Information****Role**

Involved in a Marine Casualty

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
10295	818816	WASHINGTON, District of Columbia	Saturday, August 7, 1999	Incident Investigation

**Incident Information****Role**

Involved in a Marine Casualty

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
8266	80812	WASHINGTON, District of Columbia	Saturday, November 21, 1998	Incident Investigation

**Incident Information****Role**

Involved in a Marine Casualty

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
5013	814169	WASHINGTON, District of Columbia	Tuesday, November 3, 1998	Incident Investigation

**Incident Information****Role**

Involved in a Marine Casualty

xii) CV and Details for Capt. Marc Fazioli

CURRICULUM VITAE

Name : Marc A. Fazioli  
 Citizenship : United States of America  
 Office Address : 12411 Donna Dr., Houston, Texas 77067  
 Qualifications : USCG issued Master's License w/ Radar Observer  
                   STCW Certificate endorsed Tankerman (PIC)  
                   FCC License - Marine Radio Operator / GMDSS Operator  
                   OSHA Certification as Shipyard Competent Person  
 Education : BS - Marine Transportation  
                   Texas A&M University

**CAREER INFORMATION :**

2007 - Present	3D Marine USA, Inc., Houston, Texas Marine Surveyor / Consultant
2005 - 2007	Chugach Development Corporation, Anchorage, Alaska Master / Harbor Pilot
2001 - 2005	3D Marine USA, Inc., Brownsville, Texas Marine Surveyor / Consultant
2001 - 2005	Martech Unlimited, Inc. (Noble Denton Group), Beaumont, Texas Pollution and Safety Advisor / Consultant
1996 - 2001	Maritime Overseas Corporation (OSG), New York, New York Merchant Marine Officer
1999	Casino Padre Investment Company, South Padre Island, Texas Master
1995 - 1996	Texas A&M University, Galveston, Texas Lecturer, Department of Marine Transportation
1994 - 1995	Marine Transport Lines, Inc., Weehawken, New Jersey Merchant Marine Officer

**CAPTAIN MARC FAZIOLI**

Captain Fazioli's thirty-five years of continuous experience in the maritime industry commenced in 1985 working as a sailing instructor at his family-owned recreational boat rental business in South Padre Island, Texas. Marc also worked as a Deckhand on Passenger/Fishing Vessels sailing from Port Isabel, Texas before pursuing a college degree and Merchant Marine License at the Texas Maritime Academy. After Ordinary Seaman and Cadet experience on Product Tankers and Container Ships with companies, including Coastal Tankships, Crest Tankers and Sea-Land Services, Marc graduated from Texas A&M University with a BS in Marine Transportation. His first Officer experience was with Marine Transport Lines on board Molten Sulphur Tankers. Marc then joined the Marine Transportation Department at Texas A&M University where he was responsible for instructing Cadets in Marine Safety, Lifesaving, Shiphandling and Seamanship. Marc returned to sea with Maritime Overseas Corporation (Overseas Shipholding Group) sailing as a Deck Officer on Crude Oil and Product Tankers, Geared Bulkers, and Ro/Ro vessels. During vacation periods from Maritime Overseas Corporation, Marc assisted in the start-up of an offshore gambling operation and served as Master of M/V ENTERTAINER during these periods. After coming ashore in 2001, Marc joined 3D Marine, assuming the duties as Manager of the Brownsville, Texas branch office.

In 2005, Marc accepted a position as Master with Chugach Development Corp. on U.S. Army-owned cargo and research vessels in support of Pacific-based missile launching activities. In addition to his duties as Master of first USAV GREAT BRIDGE and then USAV WORTHY, Marc also served on Towing Vessels (including ship assist), High Speed Catamarans and Small Passenger Vessels transiting the islands of Kwajalein Atoll.

Marc served as the Harbor Pilot for Government and Commercial vessels, including Research Vessels, Tankers, Container Ships and Tug/Barge Units, calling the Port of Kwajalein, RMI.

Marc has attended numerous training and certification courses since graduation from Texas A&M University. He has successfully completed all of the United States Coast Guard Management Level STCW courses including Advanced Navigation and Voyage Planning, Advanced Shiphandling, Stability, Meteorology, Bridge Resource Management, Watchkeeping, Cargo Operations, Shipboard Management, Marine Firefighting, Medical Care Provider, and Electronic Chart Display and Information Systems (ECDIS). Marc also completed courses on the operations of Mobile Offshore Drilling Units. Most recently, Marc received Classification Society certification as a Hatch Cover Inspector for Bulk Vessels and Certification as an Arbitrator from the Houston Maritime Arbitrators Association.

Captain Fazioli rejoined 3D Marine in 2007. Captain Fazioli has performed a wide range of surveys including tanker/tank barge safety (PSA) and cargo contamination surveys, dry cargo and containerization damage surveys, personal injury investigations, vessel damage surveys and P&I condition surveys. In addition, he has been retained by attorneys as a Consultant and as a testifying Expert Witness in support of litigation proceedings.

**3D MARINE USA, INC.**

12411 Donna Drive, Houston, Texas 77067  
 Tel (281) 444-9495 (24 hours) Fax (281) 444-8874  
 e-mail: firm@3dmarine.com

List of Admiralty Matters during Previous Four (4) YearsExpert Witness Testimony by Capt. Marc Fazioli

1. C. A. No. 3:14-cv-00247  
*Efrain Irias vs. Starfleet Marine Transportation, Inc.*  
 In the United States District Court for the Southern District of Texas, Galveston Division  
 Trial Testimony: June 2016 - Judge Hanks  
 Case Description: Personal Injury - Heavy Weather  
 Attorneys: Legge Farrow Kimmitt McGrath & Brown
2. Case No.: 8:15 CV 1806-T-23-JSS  
*Antoinette Dixon, as Personal Representative of the Estate of Robert L. Dixon vs. NYK Reefers Ltd., a foreign corporation; Cool Carriers AB, a foreign corporation; and NYK Cool AB, a foreign corporation*  
 In the United States District Court for the Middle District of Florida, Tampa Division  
 Deposition: July 2016  
 Case Description: Personal Injury - Crane Operations (Longshoreman Fatality)  
 Attorneys: Phelps Dunbar
3. Civil Action No. 15-5985  
*Troy Matthews and his wife Tracy Matthews vs. Crosby Tugs, LLC*  
 In the United States District Court for the Eastern District of Louisiana  
 Trial Testimony: December 2016 - Judge Vance  
 Case Description: Alleged Surge Incident - Personal Injury  
 Attorneys: Frilot
4. Case No. 3:15-cv-00170  
*In the Matter of Cooper Marine and Timberlands Corporation, as Owner Pro Hac Vice and Operator, and GATX Third Aircraft, LLC as Owner of the Barge CMT 123, Official No. 1067600, Praying for Exoneration From or Limitation of Liability*  
 Consolidated with;  
 Case No. 3:15-cv-350  
*Kassandra Nieves, Individually and as Personal Representative of the Estate of Juan Nieves and his Surviving Heirs and Dependents vs. Cooper Marine and Timberlands Corporation, et. al.*  
 Consolidated with;  
 Case No. 3:15-cv-225  
*Robert L. Coleman, Special Administrator for the Estate of Nicolas Perez Hernandez, and his Surviving Heirs and Dependents vs. Cooper Marine and Timberlands Corporation, et. al.*  
 In the United States District Court for the Eastern District of Arkansas, Jonesboro Division  
 Deposition: April 2017  
 Case Description: Barge Sinking (Longshoremen Fatalities)  
 Attorneys: Franke & Salloum / Bratton & O'Neal
5. Cause No. D-198065  
*Armando Villafuerte vs. Antillana Holding Inc. a/k/a Antilla Holdings Inc., Transgas Shipping Lines SAC, Transgas International Inc., Associated Marine Services, Inc., Anthony Andre Garrett, Richard Phillip Lopez, Eugene Blackwell, and Colin Andrew Lynd*  
 In the 136<sup>th</sup> Judicial District Court of Jefferson County, Texas  
 Deposition: August 2017  
 Case Description: Personal Injury - Linehandling  
 Attorneys: Chamberlain, Hrdlicka, White, Williams & Aughtry

6. Civil Action No. 2:15-CV-1121  
*Ergon - St. James, Incorporated vs. PRIVOCEAN M/V, her engines, tackle, apparel, furniture, etc., in rem*  
Consolidated with;  
Civil Action No. 2:15-CV-1137  
*Bravo Shipping Ltd. vs. Privocean Shipping Ltd.*  
Consolidated with;  
Civil Action No. 2:15-CV-1206  
*In re: In the Matter of the Complaint of Privocean Shipping Limited, as Owner of the M/V PRIVOCEAN, Petitioning for Exoneration From or Limitation of Liability; Bariba Corporation, as Managing Owner of the M/V PRIVOCEAN, Petitioning For Exoneration From or Limitation of Liability*  
In the United States District Court for the Eastern District of Louisiana  
Trial Testimony: April 2018 - Judge Zainey  
Case Description: Allision  
Attorneys: Jones Walker
7. C.A. No. 17-00585  
*Devin Barrios and Megan Barrios vs. Centaur, L.L.C., Circle, L.L.C. and River Ventures, L.L.C.*  
In The United States District Court for the Eastern District of Louisiana  
Trial Testimony: November 2018 - Judge Milazzo  
Case Description: Personal Injury - Equipment Handling  
Attorneys: Jones Walker
8. Cause No. 2015-51380  
*Roel Lopez vs. Chipolbrok America, Inc., Chipolbrok Chinese-Polish Joint Stock Shipping Company and Schroder Marine Services, Inc.*  
In the 125<sup>th</sup> Judicial District Court of Harris County, Texas  
Deposition: February 2019  
Case Description: Personal Injury - Longshoreman  
Attorneys: Abraham, Watkins, Nichols, Sorrels, Agosto & Aziz
9. Case No. 2:18-cr-00335  
*United States of America vs. Vjaceslavs Birzakovs*  
In the United States District Court for the Western District of Louisiana, Lake Charles Division  
Trial Testimony: May 2019 - Judge Zainey  
Case Description: Oil Pollution / Oil Discharge Monitoring Equipment (ODME)  
Attorneys: Jones Walker
10. Cause No. 2018-60608  
*Kristopher Panages vs. Martin Operating Partnership, L.P., SGS North America, Inc., Individually and doing business as SGS Petroleum Services Corporation and Martin Resource Management Corporation*  
In the 80<sup>th</sup> Judicial District Court of Harris County, Texas  
Deposition: August 2019  
Case Description: Personal Injury - Tankerman - Product Exposure  
Attorneys: Wilson Elser Moskowitz Edelman & Dicker
11. C. A. No. 2:18-cv-03056  
*Gerald Mingo vs. Great Lakes Dredge & Dock Company LLC of Louisiana*  
In the United States District Court for the Eastern District of Louisiana  
Deposition: August 2019  
Case Description: Personal Injury - Crane Operations  
Attorneys: Jones Walker



**Marine Consultants  
and Surveyors**

**3D MARINE USA, INC.**

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E-mail: firm@3dmarine.com

**3D MARINE USA, INC. - 2020 Schedule of Legal Fees**

**Captain Marc Fazioli**

Review of Documents: \$275.00 / hour

Court/Deposition Testimony: \$400.00 / hour with minimum of four hours  
(\$1,600.00) plus expenses (cost +10%)

Retention Fee<sup>1</sup>: \$5,000.00

plus necessary expenses as incurred

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<sup>1</sup> A Retention Fee may be required when appointed by clients requiring Expert Witness / Consulting Services, and will be assessed on a case-by-case basis.

CURRICULUM VITAE

Name	:	David Harold Scruton
Date of Birth	:	October 21, 1952
Citizenship	:	British Born
Office Address	:	12411 Donna Dr., Houston, Texas 77067
Qualifications	:	Certificate of Competency as Master Mariner (Unlimited, Foreign Going) issued by Department of Transport (UK)
	:	Bachelor of Science Degree in Nautical Studies (Commendation) 1978
	:	Qualified as Lead Assessor by International Register of Certificated Auditors

**CAREER INFORMATION :**

2004 - Present	3D MARINE USA, INC. - Chief Executive Officer (CEO) / Marine Consultant and Surveyor
1999 - 2004	3D MARINE Belize, Ltd. - President / Owners / Operators / Interim Captain of Push/Workboats/Tank Barges
1989 - 2004	3D MARINE USA, INC. - Vice President / Marine Consultant and Surveyor/ Quality Auditor
1988 - 1989	STANTON MARINE USA, INC. - Vice President / Marine Consultant and Marine Surveyor
1987 - 1988	STANTON MARINE Ltd. (UK) - Marine Surveyor / Sales and Marketing Manager
1986 - 1987	UNITED STATES LINES (UK) - Account Manager - Sales/Pre-Shipment Audits
1982 - 1986	ZAPATA MARINE SERVICE (UK) - Chief Officer/Master (including vessel's Safety Officer) - Offshore Supply, Towing & Anchor Handling Vessels
1970 - 1982	OCEAN TRANSPORT AND TRADING LTD., (UK) - All Ranks from Apprentice (Cadet) up to Chief Officer (including vessel's Safety Officer) on Various Vessel Types

Professional Associations: Chartered Institute of Transport (MCIT); Nautical Institute (NI); Houston Maritime Arbitrators Association (HMAA); Houston Mariners Club (HMC); Royal Yachting Association

**CAPTAIN DAVID H. SCRUTON, Master Mariner, BSc (Comm), M.C.I.T., M.N.I.**

Has been employed in the Maritime Industry his whole working career with more than 16 years of practical seagoing experience, his extensive knowledge of Dry Cargo operations was obtained while employed by one of the United Kingdom's most respected Shipowners. He served on a variety of vessel types, particularly General Cargo (including heavy lift vessels), Bulk Carriers and Container Vessels. He served in the North Sea and other locations internationally on Offshore Support Vessels (OSVs), Towing, Anchor Handling and Pipe Carriers. His degree specialized in Marine Operations and included courses covering Business and Maritime Law for the Shipmaster, Maritime Economics, Sea Transport Practices, and Maritime Safety at Liverpool Maritime College. Since graduating he has been continuously employed within the Marine Industry gaining valuable across the board knowledge. During the past thirty (30) years as Marine Consultant and Marine Surveyor, he has become experienced in other areas of the maritime industry, including Dredging Operations, Crude Oil Carriers, Chemical Tankers, etc. and has been retained in numerous legal proceedings, including, but not limited to, expert testimony in dredging, collision cases, personal injuries, steel and general cargoes and safety practices and procedures on board vessels, to name a few. When managing 3D Marine Belize, Ltd., Captain Scruton was responsible for overseeing training of vessel's crews in vessel handling, maneuvering, towing, pushing of both tank and deck barges, and in line handling. In addition, he was Captain of the company vessels for interim periods during on site attendances in Belize. He has been appointed by Cypriot Government to carry out Safety Administration surveys. Additionally, he has extensive experience with a variety of Pleasure Craft including Sail and Power Yachts, Ski Boats and Personal Water Craft (PWC). He has been appointed as an Expert in a variety of legal cases concerning personal injuries whilst using Personal Water Craft. He is a certified Boaters Education Instructor by The Texas Parks and Wildlife Department. He also served on the Board of Governors of The Downtown Club at the Met and the Board of Directors of the Houston Squash Racquets Association. He also serves as an Arbitrator in Maritime disputes. Additionally, he has served on the Board of Directors, including Past President, of the Houston Maritime Arbitrators Association (HMAA).

Hobbies/Interests: Squash, Pickleball, Skiing, Sailing, Wind Surfing and Boating, Golf, Hiking/Outdoor Activities, Climbing, Model Making, DIY

# 3D MARINE

**Marine Consultants  
and Surveyors**

## 3D MARINE USA, INC.

12411 Donna Drive, Houston, Texas 77067  
Tel (281) 444-9495 (24 hours) Fax (281) 444-8874  
E-mail: firm@3dmarine.com

### List of Admiralty Cases / Expert Witness Testimony by David H. Scruton Last Four (4) Year Period

*In addition to the following cases in which David H. Scruton has given either deposition testimony or trial testimony, he has also been retained in numerous additional cases where lawsuits have been filed. In many of those cases, Mr. Scruton has been retained on behalf of both Plaintiff's and Defendant's interests in personal injury cases. In some of those cases, Mr. Scruton has advised Plaintiff/Defendant that his opinions do not support that party's case and, in such circumstances, he has been requested to close his file. Also, in some cases, he is retained as a Consultancy Expert Only. The majority of cases for which Mr. Scruton has been retained have resulted in a mutually agreed upon settlement.*

1. C.A. No. 2012-2532 "C" (3); *Samuel Wood vs. Marquette Transportation Company Gulf-Inland, LLC*; In the United States District Court, Eastern District of Louisiana  
 Deposition Testimony: February 18, 2014  
 Case Description: Moving Hoses on Tank Barges  
 Lawyers: Phelps Dunbar, LLP
2. C.A. No. 3:12-CV0040; *Randy Robichaux vs. Kirby Inland Marine, LP, et al, and Kirby Inland Marine, LP vs. United States of America*; In the United States District Court for the Southern District of Texas, Galveston Division  
 Court Testimony: March 4, 2014 (Judge Costa)  
 Case Description: Line Handling  
 Lawyers: The Department of Justice
3. C.A. No. 2:10-CV-02121; *Daniel Dwayne Hill vs. Hornbeck Offshore Services, LLC*; In the United States District Court, Eastern District of Louisiana  
 Deposition Testimony: May 9, 2014  
 Case Description: Line Handling / Tank Barge Operations  
 Lawyers: Johnson, Johnson, Barrios & Yacoubian
4. C.A. No. 11-2761; *Penn Maritime, Inc. v. Rhodes Electronic Services, Inc., et al*; In the United States District Court, Eastern District of Louisiana, Section "C" Mag. 4  
 Court Testimony: May 20, 2014 (Judge Berrigan)  
 Case Description: Collision Between ITBs - Use of Auto Pilot  
 Lawyers: Phelps Dunbar, LLP
5. C.A. No. 4:12-cv-01292; *In The Matter of the Complaint of The Tug MR. EARL, LLC, as Owner of the M/V MR. EARL, for Exoneration From or Limitation of Liability*; In the United States District Court, Southern District of Texas, Houston Division  
 Deposition Testimony: June 11, 2014  
 Case Description: M/V ELKA APOLLON Collision with M/V MSC NEDERLAND on 29<sup>th</sup> October, 2011  
 Lawyers: Eastham, Watson, Dale & Forney, LLP
6. C.A. No. 09-4242; *Zito Fleeting, L.L.C., DRD Towing Company, LLC and Indemnity Insurance Company of North America v. M/V MARTIN CHALLENGER, her engines, tackle, furniture, apparel, etc. in rem and Martin Operating Partnership LP and Martin Gas Marine, in personam*; In the United States District Court for the Eastern District of Louisiana  
 Deposition Testimony: October 23, 2014  
 Case Description: Collision in Mississippi River (Pushboat sank)  
 Lawyers: Killeen & Stern, P.C.

7. C.A. No. 11-23841-CIV-ROSENBAUM; *M/V SEABOARD SPIRIT, SEABOARD SPIRIT, LTD., as Owner and SEABOARD MARINE, LTD., as Owner PRO HAC VICE of the M/V SEABOARD SPIRIT for Exoneration from or Limitation of Liability*; In the United States District Court, Southern District of Florida  
 Court Testimony: February 19, 2015  
 Case Description: Death of a Longshoreman on a Ro/Ro  
 Lawyers: Blanck & Cooper, P.A.
8. C.A. No. 3:13-cv-00202; *Profit Shipping Ltd. and Genel Denizcilik Nakliyati A.S. vs. M/V IMPERIAL SPIRIT, her Engines, Tackle, Appurtenances, etc., in rem; Ladarien Navegacion, S.A.; and Northstar Ship Management Ltd., in Personam*; In the United States District Court for the Southern District of Texas, Galveston Division  
 Deposition Testimony: March 3, 2015  
 Case Description: Collision  
 Lawyers: Eastham, Watson, Dale & Forney, LLP
9. C.A. No. 2007-918; *Mary Dow vs. Arrow Terminals, Inc., et al*; In the 14<sup>th</sup> Judicial District Court, Calcasieu Parish  
 Deposition Testimony: April 5, 2016  
 Case Description: Death of Longshoreman in Warehouse While Cargo Handling  
 Lawyers: Murphy, Rogers & Sloss
10. C.A. No. 2:14-cv-01018; *In the Matter of GIS Marine, LLC, as Owner of the M/V GIS-CRUSADER, Petitioning for Exoneration from or Limitation of Liability*; In the United States District Court, Eastern District of Louisiana  
 Deposition Testimony: April 26, 2016  
 Case Description: Injury During Line Handling  
 Lawyers: Phelps Dunbar, LLP
11. C.A. No. 15-600 c/w C.A. No. 15-611; *Rodney Watson vs. Weeks Marine, Inc.*; In the United States District Court, Eastern District of Louisiana  
 Court Testimony: May 16, 2016 (Judge Barbier)  
 Case Description: Steam Table Fell Over Onto Cook  
 Lawyers: Waits, Emmett, Popp & Teich, L.L.C.
12. C.A. No. 2:14-cv-00880; *James McCrary vs. John W. Stone Oil Distributors, LLC*; In the United States District Court, Eastern District of Louisiana  
 Deposition Testimony for Trial: May 23, 2016  
 Case Description: Access to Barges (Ingress/Egress)  
 Lawyers: Fowler, Rodriguez, Valdes-Fauli
13. The matter of M&M Wireline & Offshore Services, LLC , as owner of the M&M 102, petitioning for exoneration from, or limitation of liability  
 Deposition Testimony: July 15, 2016  
 Court Testimony: August 2, 2016 (Judge Vance)  
 Case Description: Ingress / Egress - Tow Boat to Barge  
 Lawyers: Harris & Rufty, L.L.P.
14. YellowFin Marine Services, LLC  
 Vessel: K MARINE XI  
 Court Testimony: August 2, 2016 (Judge Vance)  
 Case Description: Allision with Fieldwood / Apache Platform  
 Date of Accident: 8/1/14  
 Lawyers: Harris & Rufty, L.L.C.

15. C.A. No. 2:15-cv-02640-DCN (D.S.C.); *Edward Richardson v. Detyens Shipyards, Inc., et al.*, In the United States District Court, District of South Carolina, Charleston Division  
 Deposition Testimony: April 21, 2017  
 Case Description: Wearing Safety Gear / PPE / Hard Hats  
 Lawyers: The United States Department of Justice
16. C.A. No. 2:16-cv-14287; *Chris DeJean vs. Caillou Island Towing Co., Inc.*; In the United States District Court, Eastern District of Louisiana  
 Deposition Testimony: May 31, 2017  
 Case Description: Slip and Fall - Alleged no Non-Skid  
 Lawyers: Pusateri, Barrios, Guillot & Greenbaum, LLC
17. C.A. No. 16-12415; *Dixie Marine, Inc. vs. M/V Q JAKE, her engines, tackle, apparel, furniture, etc., in rem, and Quintana Shipping, Ltd., in personam*; In the United States District Court, Eastern District of Louisiana  
 Court Testimony: July 17, 2017  
 Case Description: Dock Damage During Vessel Berthing / Maneuvering  
 Lawyers: Bland & Partners, PLLC
18. C.A. No. 6:15cv-01803; *Orvel P. Hale vs. Wood Group PSN, Inc., Bordelon Marine, LLC and ENI US Operating Co., Inc.*; In the United States District Court, Western District of Louisiana, Lafayette Division  
 Deposition Testimony: August 5, 2017  
 Case Description: Fall from Personnel Basket During Offshore Transfer  
 Lawyers: Steven W. Hale & Associates
19. C.A. No. E-194.114; *Michael Stelly v. Oil tanking Beaumont Partners, L.P., Oiltanking Beaumont GP, L.L.C., Amspec Services, LLC, MGI Marine, LLC, et al.*; In the 172<sup>nd</sup> Judicial District Court of Jefferson County, Texas  
 Court Testimony: August 23, 2017  
 Case Description: Slip on Shore Gangway - Vessel Access/Egress  
 Lawyers: Crain, Caton & James, Attorneys & Counselors
20. Docket No.: DCA-15-FM-016; *Collision Between M/T CHEMBULK HOUSTON and M/V MONTE ALEGRE in the Houston Ship Channel Near Texas City, Texas on March 5, 2015*  
 Deposition Testimony: November 15, 2017  
 Case Description: Collision - Overtaking in Houston Ship Channel  
 Lawyers: Eastham, Watson, Dale & Forney, LLP
21. C.A. No. 6:15cv-01803; *Orvel P. Hale vs. Wood Group PSN, Inc., Bordelon Marine, LLC and ENI US Operating Co., Inc.*; In the United States District Court, Western District of Louisiana, Lafayette Division  
 Court Testimony: January 26, 2018  
 Case Description: Fall from Personnel Basket During Offshore Transfer  
 Lawyers: Steven W. Hale & Associates

22. C.A. No. 4:16-cv-01060; *M/T KING DORIAN Tankschiffahrts GmbH & Co. vs. Anchor Marine & Industrial Supply, Inc. and Waterman Supply Co., Inc.; In the United States District Court for the Southern District of Texas, Houston Division*  
 Deposition Testimony: June 5, 2018  
 Case Description: Anchor Operating Procedures - Deployment/Retrieval, Including Damaged Equipment  
 Lawyers: Freehill, Hogan & Maher, L.L.P.
23. C.A. No. 2016-008115-CA-01; *Rodney Patton vs. York Heating and Air Condition Corporation, York International Corporation and Johnson Controls, Inc.; In the 11<sup>th</sup> Judicial Circuit Court in and For Miami-Dade County, Florida*  
 Deposition Testimony: September 25, 2018  
 Case Description: Stevedore Operations - Longshoreman Injury - Standing on Cargo  
 Lawyers: Shook, Hardy & Bacon, Kansas City, Missouri
24. C.A. No. 2015-48186; *Zurich American Insurance Company, as subrogee of Tenaris Global Services (U.S.A.) Corporation vs. Coastal Cargo of Texas, Inc.; In the 151<sup>st</sup> Judicial District Court of Harris County, Texas*  
 Court Testimony: October 5, 2018  
 Case Description: Stevedore Operations  
 Lawyers: Murphy, Rogers, Sloss, Gambel & Tompkins
25. C.A. No. 16-14717; *Toby Martin vs. L&M Botruc Rental, LLC and Hercules Offshore Services, LLC; In the United States District Court, Eastern District of Louisiana*  
 Deposition Testimony: January 24, 2019  
 Case Description: Platform Crane Hook Allegedly Struck Plaintiff  
 Lawyers: Porteous, Hainkel & Johnson, L.L.P.

*In addition to the above cases in which David H. Scruton has given either deposition testimony or trial testimony, he has also been retained in numerous additional cases where lawsuits have been filed. In many of those cases, Mr. Scruton has been retained on behalf of both Plaintiff's and Defendant's interests in personal injury cases. In some of those cases, Mr. Scruton has advised Plaintiff/Defendant that his opinions do not support that party's case and, in such circumstances, he has been requested to close his file. Also, in some cases, he is retained as a Consultancy Expert Only. The majority of cases for which Mr. Scruton has been retained have resulted in a mutually agreed upon settlement.*